



# DELHI DEVELOPMENT AUTHORITY

**Unified Traffic & Transportation Infrastructure  
(Plg. & Engg.) Centre (UTTIPEC)**

## **PUBLIC NOTICE**

As per the provision of Master Plan 2021, development along Mass Rapid Transit System (MRTS) is to be taken up through Transit Oriented Development (TOD) Policy as envisaged in Transportation Chapter of MPD-2021 notified vide S.O. No. 1914(E) dated 14.07.2015 by Ministry of Urban Development, Government of India. This chapter envisages TOD policy and related development control norms. DDA has prepared the draft regulations for operationalization of the TOD for which a Public Notice was issued on 23.02.16, informing that these are available on DDA's website i.e. <http://dda.org.in> for obtaining/ inviting suggestions/ views from stakeholders/ public.

The stakeholders/ public presented their views in a meeting at DDA Vikas Sadan on 07.04.16. The modified draft regulations based on the suggestions have been prepared. Competent Authority has decided to invite suggestions with respect to Modified draft Regulations by placing in public domain on DDA website [dda.org.in](http://dda.org.in). Any person having views/suggestions may send their views/suggestions in writing to Addl. Commissioner (Plg.) UTTIPEC, DDA, within 30 days from the date of issue of this notice.

These may be sent on 2nd Floor, Vikas Minar, I.P. Estate, New Delhi-110002 or through email at [diruttipec@gmail.com](mailto:diruttipec@gmail.com). The person making the suggestions/ views should also give his/ her name address and telephone. Contact number (s), Email ID which should be legible.

**Place : New Delhi**

**Dated: 24.04.2016**

**File No. F.20(7)/2015-MP/Pt.-1**

**Sd/-**

**Commissioner-cum-Secretary,**

**Delhi Development Authority**

**"Please Visit DDA's website - [www.dda.org.in](http://www.dda.org.in) or dial 1800-110-332"**

**Proposed Transit Oriented Development (TOD) Regulations as envisaged in Transportation Chapter of MPD notified vide S.O. no. 1914 (E) dated 14.07.2015.**

*In exercise of powers conferred by Section 57 of the Delhi Development Act, 1957 (61 of 1957), the Delhi Development Authority with the previous approval of the Central Government, hereby makes the following regulations in pursuance to Notification No. S.O. 1914 (E) dated 14<sup>th</sup> July, 2015:-*

**CHAPTER 1: GENERAL**

**SHORT TITLE AND COMMENCEMENT:**

- i. These regulations shall be called the “**Transit Oriented Development (TOD) Regulations**”.
- ii. These regulations shall come into force with effect from the date of publication of this Notification in the Gazette of India.
- iii. All words and expressions used in these regulations but not defined shall have the meaning assigned to them in the Delhi Development Act, 1957, the MPD in force, and the Delhi Municipal Corporation Act, 1957 and The New Delhi Municipal Council Act, 1995, as the case may be.
- iv. If any question arises relating to the interpretation of these regulations, it shall be decided by the Central Government.

**DEFINITIONS**

In these regulations, unless the context otherwise requires,

- i. “**Delhi Development Authority (DDA)**” means the Delhi Development Authority constituted under section 3 of the Delhi Development Act, 1957.
- ii. “**Competent Authority (CA)**” - the competent authority shall be appointed by the concerned local bodies under their respective acts for implementation of these regulations.
- iii. “**Developer Entity (DE)**” -- A land owner, or a group of land owners (who have grouped together of their own volition/ will for this purpose) or a developer, cooperative societies, or government agencies hereinafter referred to as the “Developer Entity” (DE), shall be permitted to participate in TOD schemes, for unified planning, servicing and subdivision/ share of the land for development as per prescribed norms and guidelines of MPD.
- iv. “**Amalgamation**” means the process of combining one or more parcels of land together for consideration of scheme as one parcel of land.
- v. “**TOD Integrated Scheme**” means an area which contains one or more land parcels combined in one TOD scheme for the purpose of planning based on the TOD norms as per para 12.18 and Chapter 17 of the MPD.i.e.”TOD Zone” - About 500 m. wide belt on both sides of centre line of the existing and planned/approved MRTS Corridors will be designated as “Influence Zone”. The concept of Transit Oriented Development (TOD) shall be adopted for development within the Influence Zone, such that maximum number of people can live, work or find means of recreation within walking/cycling distance of the MRTS corridors/ stations. The Influence Zone of MRTS Corridors (as per Section 3.3.1 A of MPD) shall be

designated as TOD Zone, a new landuse category for which for development norms/ codes have been provided in Chapter 12.0: Transportation and Chapter 17.0: Development Code of the MPD.

- vi. **“Contiguous scheme”** means any TOD scheme which may comprise of two or more parcels of land touching along any side with a minimum overlap of 30 metres (100 ft.), to allow for continuity in circulation networks, green spaces, etc. subject to at least 50% of total scheme area, comprising of two or more parcels, falling within the influence zone as defined above.
- vii. **"Accommodation Reservation"** means permission to the DE of the land which is required for public amenities in the overall layout plan, to use the potential of a plot in the form of built space guided by the requisite FAR-bonus, in addition to the area required by the amenity, in lieu of the cost of land and built-up space of such amenity to be transferred to the concerned local body, in accordance with the provisions of the MPD.

## **CHAPTER 2: APPLICATION PROCESS**

### **Role of local body:**

- 2 (1)** About 500 m. wide belt on both sides of centre line of the existing and planned/approved MRTS Corridors is designated as Influence Zone which has been identified in the respective Zonal Development Plans, along with stations except for the exclusions mentioned in para 3.3.1.1.(vi) of MPD. The same will be updated by DDA from time to time. Entire approved plan of a TOD integrated scheme will be included in the zone if more that 50% of the plan area falls inside the influence zone. The TOD integrated scheme to be submitted by DE will be of the area under his ownership/ entitlement and not of the adjoining area.
- 2 (2)** The modifications in MPD will stand automatically modified in the TOD Regulations from time to time.
- 2 (3)** The Competent Authority (CA) shall be as notified by the concerned local body. The concerned local body shall create single Window System under the provisions of Delhi Unified Building Bye Laws-2016 for processing of layout, building plans and approvals under TOD.
- 2 (4)** Local body shall set up a ring-fenced TOD fund based on the criteria provided in Chapter 4 of these regulations, so that additional FAR and EDC charges levied during approval of TOD schemes may be escrowed and used exclusively for the infrastructure upgradation of the area, by transferring the adequate % of funds to service providing agencies, as per local needs.

### **STEP I - ELIGIBILITY:**

- 2 (5)** DDA will from time to time, posts checklists, tools and guidelines on its website to facilitate/ guide DEs to prepare TOD schemes.
- 2 (6)** In case of group of plots with existing public areas such as service lanes/ existing parks/ roads, etc. lying within the TOD scheme boundary, the public areas may be included in the scheme. However, no FAR/ coverage will be granted and the area can be pooled/ combined/ consolidated at one place for provision/ upgradation of

infrastructure for that area. Existing public areas shall not be counted in the minimum scheme area calculation.

- 2 (7)** In case of plots originally allotted by L&DO/ DDA, relaxation upto 20% in the minimum scheme area viz. 1 Ha shall be permitted.
- 2 (8)** In case of TOD schemes falling on Road RoW less than 18m, the local body shall consider the approval of the scheme if the DE/ group of DE's surrender the land for road widening with contiguous connectivity, such that road widening can take place from junction to junction at the same time. The widened RoW must meet the nearest existing Road RoW of 18 m width or above. In such cases, DE will have to surrender the land to the road owning agency after the approval of TOD integrated scheme and before the submission of building plans for sanction.
- 2 (9)** The approval of schemes will be granted after the approval/ notification of the respective phase of MRTS.
- 2 (10)** Development Controls applicable will be as permissible under TOD Zone specified in Chapter 12.0 and 17.0 of MPD.
- 2 (11)** Higher FAR and height can be availed of through the preparation and approval of comprehensive integrated TOD scheme. Wherever height is restricted by any regulatory authorities like AAI, NMA in order to enable the DE to utilize the permissible FAR, a relaxation in ground coverage and setbacks, without compromising the green public open space viz 20%, in such TOD integrated scheme shall be allowed subject to the clearance from Fire department as per Delhi Fire Services Act.
- 2 (12)** TOD norms will not be applicable to the following areas:
- Lutyens' Bungalow Zone, ChanakyaPuri (as per layout plan of New Delhi Municipal Council)
  - Civil Lines Bungalow Area (as per layout plan of North Delhi Municipal Corporation)
  - Monument Regulated Zone (Development in Monument Regulated Zones shall be allowed under TOD Policy, subject to compliance of NMA's restrictions, if any. If part of any scheme contains a Monument Regulated Zone, the benefit of the FAR can be taken within areas outside the regulatory boundaries within the scheme).
    - Zone-O (as notified by DDA)
    - Low Density Residential Area (as notified by DDA)
- 2 (13)** The concerned local body will prepare, wherever required, and approve layout plans for TOD Zone indicating the ROW's, public spaces, district level social infrastructure, etc. However, this shall not be a prerequisite for submission of schemes by DE.
- 2 (14) (a) Assembly of land** -In order to participate in TOD, individual/ group of owners may need to partner with other adjoining land owners/ property owners to form a Developer Entity (DE), and prepare a single contiguous scheme of minimum 1 Ha.
- (b) Preparing the TOD scheme** - The developer entity (DE) may prepare a TOD scheme based on the norms specified in the MPD and these regulations and submit for approval of competent authority.
- 2 (15) Process for Approval:** The approval from the competent authority (CA) shall comprise of three stages (1) Approval of layout of TOD integrated scheme (2)

Sanction of building plans for different blocks, and (3) Issuance of completion certificate cum occupancy certificate for different blocks. A stringent monitoring mechanism for open spaces, roads, parking, facilities/amenities, etc. is required, post completion.

## **.Step II – APPROVAL OF LAYOUT OF TOD INTEGRATED SCHEME**

**2 (16) Role of Developer Entity:**The DE shall satisfy the following conditions in order to participate in TOD scheme:

- i. The Developer Entity shall have valid and lawful title or GPA holding to, and be in lawful physical possession of, the land area for which TOD scheme has been prepared, except public land and roads;
- ii. in the case of a group of land owners:
  - a. each one of them shall have a valid and lawful title to, and be in lawful physical possession of, his respective land which is offered for the TOD scheme;
  - b. there should be a valid and legally enforceable agreement between all the land owners constituting the Developer Entity to participate in, apply for and abide by and be bound by the terms and conditions of TOD schemes;
  - c. In cases where 100% of existing flats within the scheme area have been converted to freehold, the entire amalgamated plot of land shall be over-archingly automatically considered as freehold, without levying of any additional conversion charges by anybody or any further paperwork/ application/ sanction.

**2 (17)** Developer Entity shall submit an application for participation in TOD scheme in the prescribed format and submit the requisite documents as prescribed thereunder to the concerned local body, either online or in hard copy; including the following:

- I. At least 2 sets of the prescribed application form along with payment of the fee and certified copies of the documents as may be prescribed.
- II. Scrutiny / processing fee of the prescribed fee based on the area of the scheme (on which FAR shall be availed) as prescribed by the local body;
- III. Bank Guarantee from a Nationalise bank equivalent to twenty-five percent of the External Development Charges as may be prescribed;
- IV. Undertaking to pay additional FAR charges and External Development Charges (EDC) as per the schedule laid by the local body;
- V. At least two sets of drawings in the following submission format (along with digital files):
  - a. Dimensioned plan of the land/ scheme area coming forward under the proposed TOD scheme on a scale of 1:1000 showing the boundaries and dimensions, the locations of existing streets, existing buildings/ plots/ premises that shall be participating in the scheme, and relevant physical features, etc.
  - b. Base map with site surroundings/ context, main access roads (including min. 18m mandatory road access from junction to junction), Metro

station, bus stops, etc. on at least 1:1000 scale at A1-size or on any sized sheet showing the neighbouring context upto approx. 1km around the site.

- c. Photo-documentation of site and surroundings, main access roads, nearby parks, etc.
- d. Multi-modal Integration plan at 1:500 scale or larger (applicable only for MRTS station sites)
- e. Conceptual TOD scheme at scale 1:1000 or larger based on the MPD, and Delhi UBBL-2016, showing the following:
  - i. Location and design of public open spaces, in case of TOD integrated schemes of size 4 Ha and above.
  - ii. Street network including for vehicular and pedestrian/ NMT movement, use of setbacks for providing connections to surrounding neighbourhoods and transit stops/stations, etc.
  - iii. Location and type of Active Frontages
  - iv. Distribution and planning of uses:
    - Location of retail and commercial dominated buildings.
    - Location and mix of various residential typologies.
    - Location of Social Infrastructure
    - Tentative location of EWS.
  - v. Phasing Plan along with infrastructure development works of each phase.

VI. The documents shall be self-attested by Developer Entity who shall at all times remain liable for any false information, misrepresentation, or error of any nature whatsoever and in addition to being proceeded against in accordance with law, the application of Developer Entity shall be deemed to be void *ab initio* and shall automatically stand rejected and any action that has been taken pursuant to the such application shall stand automatically revoked.

**Role of local body:**

**2 (18)** Local body shall admit applications for TOD schemes as per prescribed format and examine the same as per all statutory clearances applicable as per the MPD and the Unified Building Bye Laws (UBBL) of Delhi. The computerized online single-window system shall be utilized for this purpose.

**2 (19)** a) Competent Authority shall issue the approval of scheme to the DE specifying the details of the EWS as well as land for roads, neighbourhood parks, amenities, etc. that are to be handed over to the local body, wherever applicable, post completion. Issue of TOD integrated scheme approval shall be subject to payment of all charges to the concerned local body as mentioned above, subject to compliance with the conditions mentioned in these regulations, the provisions of the MPD, Zonal Development Plans, and any other statutory provisions and guidelines issued from time to time.

b) The maximum timelimit for approval of layout by the concerned local body of any TOD Integrated Scheme shall be 90 days in cases where any Impact

Assessment is required and 45 days where no Impact Assessment studies are required..

**Step III - SANCTION OF BUILDING PLANS (AS PART OF INTEGRATED TOD SCHEME)**

- 2 (20)** Developer Entity shall within twelve (12) months of receipt of TOD integrated scheme approval for integrated TOD scheme, apply for sanction of building plans for participating plots to the concerned local body, under a computerised single window system.
- a) DE shall submit the detailed service plans and Building Plans as per UBBL and prevailing standards, as part of the online computerized single-window approval system. This system shall include all requisite statutory approvals.
- 2 (21)** Local bodies will process the TOD scheme as per the provisions in MPD, Delhi UBBL-2016 and other related statutory provisions updated from time to time. Before considering for building sanction (within approved schemes), local body should examine demarcation of roads/ open spaces on ground as per approved scheme. Schemes should be evaluated via computerized software only. In TOD Integrated Scheme, the time limit for sanction/ approval of building plans shall be as prescribed under Delhi UBBL-2016 as applicable on the concerned land use and risk category.
- 2 (22)** In case of any conflicting provisions between the redevelopment/other norms and TOD norms within the MPD, the norms (and development code) of TOD shall prevail, for any site/scheme falling within TOD Zone.
- 2 (23)** Since in a number of areas likely to be redeveloped under TOD, layout plans were approved long ago and are not readily available; for approving any TOD integrated scheme, layout shall be amended/ approved by the local body in respect of the plot under TOD integrated scheme only and not of the adjoining plots/ neighbouring plots/ area. However, while approving the layout of the TOD integrated scheme/ plot, upgradation of infrastructure like water supply, sewerage, roads in respect of the TOD integrated scheme/plot, shall be taken due care of.

**Step IV - ISSUE OF COMPLETION CERTIFICATE:**

**Role of developer entity:**

- 2 (24)** Developer Entity shall execute and complete the development in accordance with, *inter alia*, the approved plan of integrated TOD scheme, the building sanctions for individual blocks, and provisions of the MPD and these regulations, before applying for completion certificate.

**Role of local body:**

- 2 (25)** Completion and occupancy certificate for any building (which is part of an approved TOD scheme) shall be issued by concerned local body only after ensuring that the development of the service lanes/ roads, parks, public amenities, etc., both existing and proposed, are completed as per approved TOD integrated scheme. EWS to be handed over by DE as per MPD provisions to DDA

before issue of completion certificate. The following needs to be ensured at various stages:

- i. TOD schemes must ensure that existing local movement patterns through the site are maintained/ enhanced and local body must ensure that post construction, these routes, facilities, etc. remain open and usable to the public at all times.
  - ii. Relaying of services within the TOD scheme area shall be undertaken by the DE in consultation with concerned agencies, as per the approved TOD integrated scheme.
- 2 (26)** Part completion certificate for premise/ building level plan within any approved phase of development may be issued by CA as per the Building Bylaws in force at the time, subject to obtaining the part / full completion certificate for infrastructure development works of that phase.
- 2 (27)** Considering that any delay in completion/ implementation of the individual blocks comprising an approved TOD scheme by the Developer Entity shall undermine the implementation of TOD Policy, the following measures shall be applicable:
- i. The validity of the approvals for TOD scheme as well as building sanctions shall be five years for schemes  $\leq 4$  ha. and seven years for larger schemes, counted from the date of the issuance of all approvals.
  - ii. In the event of non-completion of the project beyond within this period, the validity of the sanctioned TOD integrated scheme plan/ building plan shall be deemed cancelled, and re-approvals have to be taken by DE before any (re)development work is taken up.
  - iii. In case of delay in completion of development, the concerned local body shall have right to recover penalty from the developer entity (after giving a reasonable opportunity of being heard to the DE) calculated on the basis of commercial value of the unused additional FAR granted for the TOD scheme based on the prevailing circle rates of transfer of property in Delhi.
- 2 (28)** Since the additional FAR charges and EDC's shall go to the local body, concerned local body may in accordance with law acquire any land which is required for effectuating effective TOD in the city, which has not yet been offered for TOD schemes. This may be required for the creation of continuous new street networks, open spaces, city/ district level social infrastructure, amenities, etc. necessary for integrated development with the rest of the city.

### **CHAPTER 3:**

#### **CONDITIONS FOR APPROVAL**

##### **3 (1) Conditions for approval of plan of TOD Integrated Scheme:**

- A. All the TOD schemes under these regulations shall conform to the MPD of Delhi - 2021, statutory provisions and other guidelines issued from time to time.
- B. If any land owners do not wish to develop/ redevelop their land/ property, they may choose to refrain from participation in TOD. However, in case (re)development is taken up, they shall not be permitted to avail of higher FAR under any other provisions other than the norms of TOD as per MPD and these regulations.



**C. Existing public areas:**

- i. The area of existing public roads as currently existing on ground shall be retained and improved. In addition the developer entity shall provide for public use additional roads/streets as per the norms keeping in view the requirement of the scheme.
- ii. The area of existing public areas (such as roads, parks, service lanes, drains, easements, etc.) as currently existing on ground can be reconfigured and improved, but not reduced. This shall be in addition to the other green open spaces/ roads that the DE must provide as part of the TOD scheme development.
- iii. Carrying capacity of existing natural drains (in cu.m.) shall not be decreased.
- iv. Surface drainage and infiltration patterns of the area shall not be obstructed under any circumstances. In case any toe-walls are provided within the TOD scheme, adequate inlets and gaps shall be provided so as not to obstruct surface drainage/ flow of rain water, etc.
- v. The total number of trees as existing on site prior to (re)development shall not be decreased. Trees may be transplanted/ replaced/ relocated within the scheme, without reducing the total number in the final developed scheme.

D. In case of MRTS agencies (DMRC/ RRTS/ Railways), the Operational areas for Transportation such as tracks, yards, depot, etc. shall not be considered as part of TOD integrated scheme area for calculation of FAR/ ground coverage/ min. scheme area for application of TOD norms.

E. If the TOD integrated scheme is having different land use plots, Mix will be proportionate to area of land. The predominant land use shall prevail.

**F. Green Public Open Space:**

The green public open space provisions shall be as per the 12.18.4. These will be further governed by:

- i) Authority means 'competent authority' as defined in these regulations.
- ii) Green public open space means the recreational area for the use of the local occupants of the scheme.
- iii) In case of schemes more than 4 Ha, the 20% open space requirement will be for neighbourhood recreational area accessible to the occupants of the adjoining areas as well. These will be incorporated by the concerned local body while preparing the local area plans. Neighbourhood parks, whenever provided shall have access from a public ROW.
- iv) TOD schemes/sites having any MRTS stations, shall be eligible for relaxation in ground coverage norms to a maximum of 10%. In such cases, the required green open space requirement shall be fully compensated by creating green areas at terraces, podiums, etc. within the scheme area.

**G. Parking facilities at scheme level:**

- a. No free (un-paid) on-street parking for private vehicles is permissible within TOD Zone.

- b. Fully subsidized parking facilities for IPT<sup>1</sup> and NMT<sup>2</sup> modes shall be mandatory at all Terminals, stations and bus stops; on all roads of 18m and above and near all major public buildings and destinations. It shall also be permissible on all public roads having vehicular movement. In areas where provision of adequate IPT/ NMT parking is not possible within RoW, setbacks surrendered as public roads may be used for the purpose. Parking spaces for differently-abled to be provided as per relevant codes and applicable law.
- c. Parking spaces may be provided and leased/ sold separately (“unbundled”) from the rent or sale price of a property, giving a financial incentive to individuals to reduce private vehicle ownership and use alternative modes. This would also make housing units more affordable for non-car owners.
- d. Each on-street parking space shall be marked physically on ground and notified before commissioning, so as to facilitate enforcement by the law enforcement agencies.
- e. At-grade parking: No boundary wall shall be permitted around parking lots though permission may be given for fencing or cordoning off with low growing landscape, so that visual connection between parking lot and adjacent footpath is maintained. Only permeable materials to be used for surface parking.
- f. Creation of underground parking structures within or under the green public open spaces/ exclusive parks within TOD integrated scheme shall be allowed.

H. Connectivity:

- a. DE shall ensure that all new roads / streets must intersect to create junctions and integrate with the surrounding network to augment connectivity. There shall preferably be no dead-end roads.
- b. Safe at-grade crossings to be provided for pedestrians and NMT at all junctions and mid-block crossings.
- c. Skywalks developed by the DE for connecting different blocks/buildings/parcels shall be counted as public pedestrian connections where at-grade pedestrian/NMT connections are not feasible (e.g. across railway tracks, metro/road viaducts, large roads/ etc.)
- d. All new streets shall be as per Street Design Regulations; Annexure-12.0(I) of MPD.
- e. In existing areas, where a fine network of pedestrian movement already exists, it shall be preserved as far as possible.

**3 (2) Other conditions for sanction of building plan as per integrated TOD scheme:**

- i. The concerned local body shall work out the mechanism for implementation of the TOD integrated scheme in time bound manner and the recovery of stipulated levies/charges in phases.
- ii. Permissibility of basements shall be as per MPD.

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<sup>1</sup>IPT = Intermediate Public Transport.

<sup>2</sup>NMT = Non-Motorized Transport.

- iii. Green Buildings: Incentives and requirements for green buildings shall be as per Chapter 17: Development Code of MPD.
- iv. For continuity of uses and floor-plates of buildings on adjacent blocks, connections may be provided over public Right-of-Ways in the form of bridges, covered corridors, skywalks, etc.
- v. Any public amenities provided as part of the development such as public toilets, skywalks, bridges, etc. shall be free of FAR, subject to the condition that they remain open and accessible to public at all times of the day failing which the concerned local authority shall take over the same. The norms for public toilet provisions for all public areas within the TOD scheme shall be as per norms laid down by the DelhiUBBL-2016.
- vi. All norms such as setbacks, ground coverage, etc. shall apply to the entire TOD scheme/ scheme boundary, and not to individual plots.
- vii. Podiums shall not be considered as part of ground coverage if the top of the podium is used as a green/recreational open space or sports fields.
- viii. EWS housing:
  - a. EWS provision shall be mandatory for any TOD scheme, irrespective of the landuse.
  - b. EWS Housing unit size to be ranging between 25-40 sqm. but may be flexible in plan to allow use in the form of dormitories, hostels, rental homes, etc.
  - c. The DE shall ensure the provisions for community service personnel/ EWS housing as per para 4.4.3 B (v) of MPD, in case of all landuse categories.
  - d. Parking norms of 0.25 ECS/ 100 sqm of BUA to be provided for EWS.
- ix. FAR and **Density**: The development control norms regarding the Density and FAR given in para 12.18.1 of the MPD are maximum prescribed i.e. maximum FAR of 400 and maximum permissible density of 2000 PPH (450 du/ha).
- x. **Mixed Use**:  
In all TOD integrated schemes, a minimum of 30% of overall FAR shall be mandatory for Residential use, a minimum 5% of FAR for commercial use and minimum 10% of FAR for community facilities. At least 50% of the total FAR shall be as per ZDP use:

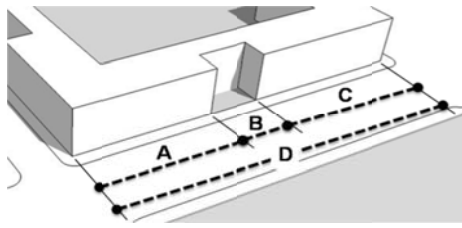
Table 1: Indicative FAR utilization and mix of uses within various Residential, Commercial, Mixed Use and Industrial land use categories falling within TOD Zone:

Landuse as per ZDP (At Least 50% of total FAR to be as per ZDP Use)	Minimum Mix of Uses within overall FAR Utilization		
	Minimum Residential*	Minimum Commercial**	Minimum Facilities**
RESIDENTIAL	30%	5%	10%
COMMERCIAL	30%	5%	10%
INDUSTRIAL	30%	5%	10%
MIXED-USE	30%	5%	10%

Notes:

\*1. The minimum component of 30% residential shall comprise of units not more than 93 sq.m. (1000 sq.ft.).

2. Within the 55% flexible use, in case Residential use is provided, DE would have the option to provide homes of any/larger size, as per the demand.
  3. EWS FAR of 15% over and above the permissible FAR will be applicable.
  4. Minimum requirements for 30% Residential and 5% Commercial will not be binding on Transportation, Government and PSP landuses.
  - \*\*5. The mandatory facilities and commercial component shall include the requirements of the residential population in that land parcel.
  6. In case of transportation and public and semi-public facility plots, the development control norms shall be as per lease conditions.
  7. In case of residential landuse, activities prohibited as per Chapter 15: Mixed Land use, para 15.6.2 shall be prohibited within residential use premises.
- xi. Parking facilities at building level:
- a. Parking may be in the form of stack parking, demarcated on-street parking (on the new roads or existing roads that are part of the TOD scheme), surface parking, podium parking, basement parking, stilt parking on surface or within basements or podiums, or any other innovative methods, and it shall be counted towards ECS requirement.
  - b. Appropriate parking for all users of the development should be provided by the DE.
  - c. Secured cycle parking facilities (which are mandatory as part of the ECS requirement) shall be provided at least every 50-100 m of each other, distributed throughout the site at convenient locations.
- xii. Setbacks and Frontage at building level:
- a. Since main entries of buildings need to be from the main streets where zero setbacks are permitted, it shall be ensured that steps, stoops, etc at ground level do not encroach upon footpaths or any part of public RoW.
  - b. Additional recessed walking zones may be created at the edges of the plot boundary (e.g. arcades, colonnades, etc.) while maintaining the transparency of the inner façade edge condition.
  - c. Residential frontages shall have balconies/ verandas and active spaces facing the street. Higher plinth levels may be used to create privacy for ground floor windows.
  - d. At least one primary pedestrian entry to each building/complex shall be located from the main/ primary street.
  - e. Parking, trees, utilities and any other activities may be permitted by the local bodies within setbacks subject to availability of free movement space of emergency & other vehicles and shall be planned as per Street Design Regulations of MPD.
  - f. Minimum active frontage requirement as per Table 17.2 of the MPD is to be calculated as follows:



**Figure 1: Calculating % of building frontage at setback line =  $(A+C)/D \times 100$**

#### **CHAPTER 4: MECHANISM FOR CREATION AND MAINTENANCE OF AMENITIES IN TODs**

##### **4 (1) Additional FAR charges and External Development Charges (EDC) in TOD schemes (Ring Fenced)**

- (i) DE to give an undertaking to the satisfaction of the local body stating that appropriate additional FAR charges and EDC charges will be payable by the DE upon demand by the local body and as per the schedule fixed by the concerned local body. Any delay in fixation of additional FAR charges and EDC by the local body shall not come in the way of approval of integrated TOD scheme and building plans.
- (ii) Local body shall set up an escrowed ring-fenced TOD fund based on the criteria provided in paras below, so that additional FAR and EDC charges levied during approval of TOD schemes may be escrowed and used exclusively for the infrastructure upgradation of the area, by transferring the adequate % of funds to service providing agencies, as per local needs.
- (iii) Two types of charges shall be levied for sanction/ completion of TOD schemes:
  - a. **Additional FAR charges:** The DE shall pay to the local body the additional FAR charges as determined by the local body. Additional FAR charges shall be utilized exclusively for upgradation of infrastructure by the concerned local body.
  - b. **External Development Charges (EDC)** – The EDC charges shall be paid by the DE to the local body as determined by the local body, for the purpose of upgradation of infrastructure as a result of the increase in the density of the TOD integrated scheme like road infrastructure, water supply & sewerage distribution; efficient solid waste management, wastewater recycling; consistent and efficient power supply; new public utilities, communication lines, landscaping and any other additional infrastructural costs identified.
- (iv) The expenditure from TOD fund shall be as a capital expenditure within immediate vicinity of TOD schemes only and not on expenditure of any other kind, like salary disbursement, etc.
- (v) The CA shall recover the additional FAR charges and EDC from the DE in a construction linked manner, before the issue of completion certificate to the DE.

##### **4 (2) Monitoring mechanism for public spaces/ roads/ etc.**

- i. The public spaces/roads shall be used for public purposes only. For this purpose the local bodies may prepare the monitoring and enforcement guidelines including

penalty charges etc. to prevent any encroachment or illegal activity on public spaces/roads, after giving a reasonable opportunity of being heard to the DE.

- ii. Status of TOD schemes under consideration for approval/ approved, shall be uploaded regular basis by the respective local bodies on a centralized database accessible to all local bodies. Such a database needs to be maintained in order to enable integration and coordination between various TOD projects coming up in different parts of the city.

**Figure 2: Flowchart depicting the procedure for approval of TOD schemes:**

