

The Transit Oriented Scheme (TOS)



GUIDELINES

July 2023

“The future of transportation & mobility lies in improved connectivity to mixed of land-uses and services with pedestrian & biking connections to stations”

PREFACE

This publication contains guidance for developer(s)/ investor(s) who want to develop a project under the Transit Oriented Scheme (TOS). These guidelines are based on provisions of the Economic Development Board Act 2017 and are designed to provide information and assist in decision-making. They are neither intended to replace the provisions of the laws and should not be construed as one nor should they be interpreted as prescribing an exclusive course of management.

Whilst care has been taken to ensure that the information provided herein is accurate and correct, at the time of publication, users of this publication are advised to seek guidance from the Economic Development Board in case of uncertainty or ambiguity encountered in reading. The Economic Development Board shall, in no circumstances whatsoever, be held liable to any person arising from use of information contained herein.



Table of Content

A. BACKGROUND	4
B. DEFINITION OF TERMS	5
C. LEGAL BASIS & ADMINISTRATION OF THE SCHEME	6
D. THE TRANSIT ORIENTED SCHEME (TOS)	7
E. PROJECT UNDER THE TRANSIT-ORIENTED SCHEME.....	9
F. TRANSIT ORIENTED CERTIFICATE (TOC)	9
G. STAGES PRIOR TO ISSUE OF THE REGISTRATION CERTIFICATE.....	11
Stage 1: Submission of an application for a Certificate	11
Stage 2: Site visit and / or technical committee	13
Stage 3: Issue of Letter of Intent.....	14
Stage 4: Obtention of permits and licences	14
Stage 5: Issue of the Transit Oriented Certificate	14
H. INCENTIVES.....	15
I. DUTY AND TAXES	16
Annex: Stations and stops.....	17

A. Background

The Transit-oriented Scheme (TOS) allows for the creation of a people-centric, vibrant, walkable, and mixed-use facilities around a light rail station. The light rail line shall have a stretch of over 30 Km from Immigration Square to Jan Palach (Curepipe) including the connection from Rose Hill Central Station to Redit. The light rail comprises 6 Central stations (Port Louis Victoria, Rose Hill, Quatres Bornes, Vacoas and Curepipe) and 15 stations. The areas around the stations present opportunities for setting up economic activities, job creation and place making with minimum environmental and social costs.



Based on future metro alignments across the island, the major traffic centres in primary rural centres such as Centre de Flacq, Souillac and Riviere du Rempart shall be also considered for the development under the scheme. The guidelines will be continuously updated.

This set of guidelines aims to:

- 1) define procedures required to be followed by developer(s) in line with requirements under the Transit Oriented Scheme (TOS);
- 2) provide a comprehensive and user-friendly guide and reference document to assist developer(s) to submit projects under the TOS;
- 3) avoid any misunderstanding in the interpretation, application or implementation of agreed procedures and ensure that the implementation of all projects is always in accordance with criteria set in the scheme;
- 4) facilitate the submission and processing of applications for projects through a clear, streamlined and more transparent project development, evaluation, approval and implementation process; and
- 5) ensure the application is in accordance with the provisions of the Economic Development Board Act (EDB Act).

B. Definition of terms

For the purposes of these guidelines, the terms and phrases used herein shall be understood to mean as follows:

- 2.1 Architect – a person registered under the Professional Architects' Council Act;
- 2.2 Building and Land Use Permit (BLUP) – has the same meaning as in the Local Government Act;
- 2.3 Developer - “developer” means a person who, individually or collectively, decides on, promotes, plans and finances building works, with his own resources or those of third parties, for himself or for the subsequent disposal, delivery, transfer, sale or letting of the building to third parties;
- 2.4 EIA – a study that predicts the environmental consequences of a proposed development. It evaluates the expected effects on the natural environment, human health and on property;
- 2.5 Engineer – a professional engineer registered under the Registered Professional Engineers Council Act;
- 2.6 Infilling development” means new development that occupies gaps within predominantly built-up areas;
- 2.7 Letter of intent – document issued by the Economic Development Board on approval of a project which lays down the terms and conditions that should be satisfied for the issuance of a Transit Oriented Certificate (TOC);

- 2.8 Professional Quantity Surveyor – a Quantity Surveyor registered with the Professional Quantity Surveyors' Council
- 2.9 Transit Oriented Certificate means the Transit Oriented Certificate issued under the Transit Oriented Scheme;
- 2.10 TOS Company – a company, incorporated under the Companies Act 2001, holding a Transit Oriented Certificate, whose project(s) has been approved by the EDB;
- 2.11 PER – Preliminary Environment Report meant for assessing projects with lesser environmental impacts to identify the impacts associated with the proposed development and the means of mitigation; and
- 2.12 Works has same meaning in the Building and Control Act

C. Legal Basis & Administration of the Scheme

- 1. The legal basis for these guidelines is the Economic Development Board Act 2017.
- 2. The Transit-oriented Scheme is administered by the Economic Development Board.



D. The Transit Oriented Scheme (TOS)

About the Scheme

The Transit-oriented Scheme (TOS) allows the creation of vibrant, walkable, and mixed-use facilities within a radius of 1 km of metro stations from the light rail stations. It provides for infilling development, re-developable sites (renovation) and growth areas within an approved plan/ demarcation around the light rail station.

A project under the TOS – also referred to as a Transit-Oriented Development (TOD), must provide for sustainable and integrated land use planning, within a radius of 1 km of a light rail station and may comprise dense residential developments, mixed-use facilities, commercial, office, hotel and parking facilities, public spaces, leisure, recreational facilities, and other amenities. The proposed development should integrate with the character and context of the region around the station. As a pedestrian-oriented development, people will be encouraged to walk as part of a daily commute.

The TOD environment should provide for vibrant public realm, comprising streets (infrastructure including lighting), sidewalks, plazas, amenities and stations, which is safe, active, and accessible. The public realm connects a transit station to the surrounding land uses to achieve a unique synergy of mixed-use activities and can be a powerful place-making tool for private investment.



The Transit Oriented Scheme provides for the following:

1. compact growth comprising mix of uses around a station in line with the Outline Planning Scheme (OPS) and Planning Policy Guidance (PPGs) for the region by focusing on sustainability, quality of life and bringing potential commuters closer to a station;
2. an inclusive development within a radius of 1 km of a light rail station so that people can reside in the communities within a 10 minutes walkable distance from the station;
3. residential development(s) with day-to-day management services to residents including security, maintenance, and household services.
4. maximize the use of existing areas accessible to transit through infilling development, redevelopment and regeneration;
5. reduction of traffic congestion, carbon footprint and air pollution by encouraging pedestrian and cycling to station and use of environment-friendly travel options for egress and access trips; and
6. protection of the natural environment and community character by reducing the need for roadway expansions but promoting high quality public spaces that help social interaction and a sense of community.



Encourage Mix of Uses



Concentrate Density around Transit



Support Repurposing and Infill Development

Complete Streets for Better Transit



Manage Parking Effectively

Create Engaging Public Spaces



E. Project under the Transit-oriented Scheme

Under the Transit Oriented Scheme (TOS), within a radius of 1 km from a light rail station, a project may:

- (a) provide for commercial, office, leisure, residential or a mix of uses or an integrated development and other facilities that promote inclusive development; and
- (b) be developed on infilling site(s), brownfield site(s), greenfield site(s), re-developable site(s) that provides for a pedestrian oriented urban environment.

For any project under the scheme, the promoter should make provisions for:

- (a) works in the public realm which may be in the form of renovation and embellishment of existing infrastructure (roads, drains, pavement, lighting, security, pedestrian path, cycling lane, etc);
- (b) the use of digital technologies and smart applications in buildings and infrastructure to connect people, share information, provide user intelligent services and assist in decision-making;
- (c) sustainable and innovative features;
- (d) the use of high-performance energy efficiency equipment (at least A+ rating);
- (e) conserving or enhancing the character of the area in order to foster desirable commercial and working spaces that will improve the quality of life
- (f) Climate resilient infrastructure and buildings with appropriate disaster risk reduction and management technologies
- (g) Eco-friendly and smart-agricultural practices such as roof gardening, community gardening

Any project under the TOS should comply with relevant PPGs including the addendum to PPG1 on Light Rail Corridor and Ex-Railway Lands.

F. Transit Oriented Certificate (TOC)

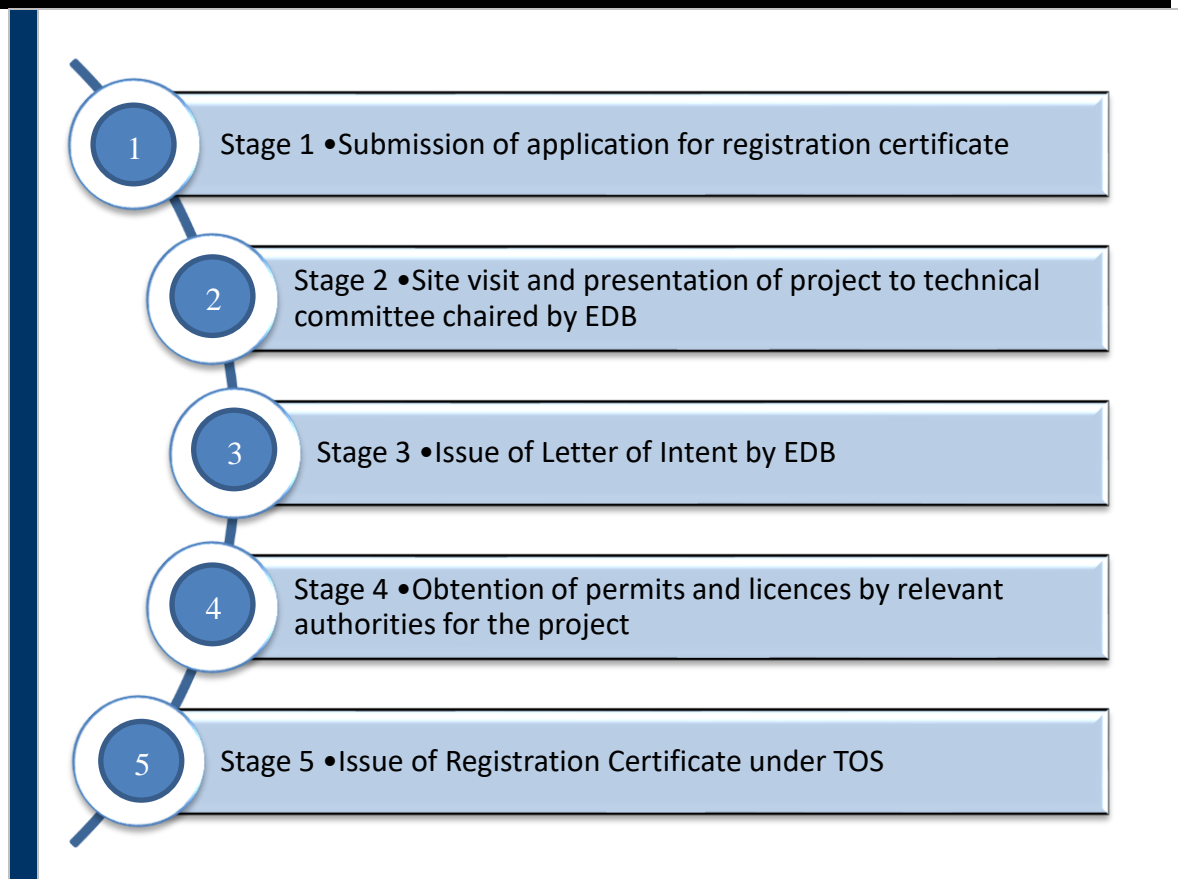
- The Transit Oriented Company (the developer) should register with the EDB for the purpose of developing a project under the scheme as approved by the EDB
- A Transit Oriented Certificate issued under section 16 of the Economic Development Board Act is conclusive evidence that all the requirements of the Act with respect to an investment project submitted to the Economic Development Board have been complied with. From the date of issue of the certificate, the developer is responsible for the development, implementation and management of the project in accordance with the approval granted by the EDB.

- The company issued with a TOC has to implement the project as approved by the EDB and cannot change the use to which each major part of an integrated area of the project has been approved, without the prior approval of the EDB.
- In case of substantial change in the ownership or transfer of shares in the company which could impact on the control of the company, the Transit Oriented Certificate will automatically be considered as null and void.



- **Prior to submitting an application** for a registration certificate under the scheme, a developer should ensure that the public and relevant stakeholders are consulted, and the views/ proposals are considered in such a way that they are practicable in the TOD project. It is also advisable that the TOD projects be developed around a specific theme to make the project commercially attractive.

G. Stages prior to issue of the Registration Certificate



Stage 1: Submission of an application for a Certificate

1. An application for a Transit Oriented Certificate must be made to the CEO of the EDB. The document should be signed by the Director of the company making the application. Where an application is submitted by a third party (e.g., consultant), a Power of Attorney or a mandate letter given by the applicant to the third party must be submitted.

2. The duly completed and signed application form must be submitted with the following mandatory documents (both soft and hard copies):
 - a. Certificate of Incorporation together with the register of shareholders – Conclusive evidence issued by the Registrar of Companies that a company is incorporated under the Companies Act 2001.
 - b. A Board resolution nominating ‘the director’ who will act on behalf of the TOS developer (i.e, the person who is authorised to sign the application form and other documents)
 - c. Detailed business plan including associated economic benefits
3. Site/location plan by sworn land surveyor in UTM40 or LGM2012 and context plan as per Outline Planning Scheme with plan showing the exact location of the immovable property within a radius of 1 km from a light rail station.
4. Detailed master plan/ layout plan and land use proposal for the whole project to be prepared by an architect/ town planner/ urban planner which should be drawn to scale on A3 or A1 format clearly showing dimensions of plots/ roads/ setback etc– A document that describes, with a map, the overall development concept which should provide for:
 - a. Proposals to allow ease of pedestrian and cyclist accessibility between buildings and connectivity of existing and proposed buildings with the surrounding urban fabric such as entrances/doors should be positioned to facilitate pedestrian flow
 - b. Where relevant, preservation and conservation of its historic character and amenity
 - c. A visual assessment to protect important vistas (scenic landscapes/ views) and
 - d. Accessibility features for physically disabled persons
5. Architectural drawings for the proposed project should include a 3D artistic impressions of the proposed development
6. Title Deed of the current landowner in case the promoter is bringing land as “apport en capital” in the project, or Presale agreement (promesse de vente) between the current landowner and company/ developer making an application for a Transit Oriented Certificate, where there shall be a sale.
7. Valuation report of the subject property where the project shall be implemented – the valuation report must be prepared by a chartered land valuer/ valuation surveyor.

8. Documents showing proof of funds – A bank confirmation or a letter of arrangement that demonstrates that the investor has the ability and funds available for the project.

The EDB reserves the right to request any additional document or information during the determination of the application.

*In designing a project, promoters should ensure compliance to the provisions of the **National Development Strategy, Planning Policy Guidelines, and relevant Outline Planning Schemes.***

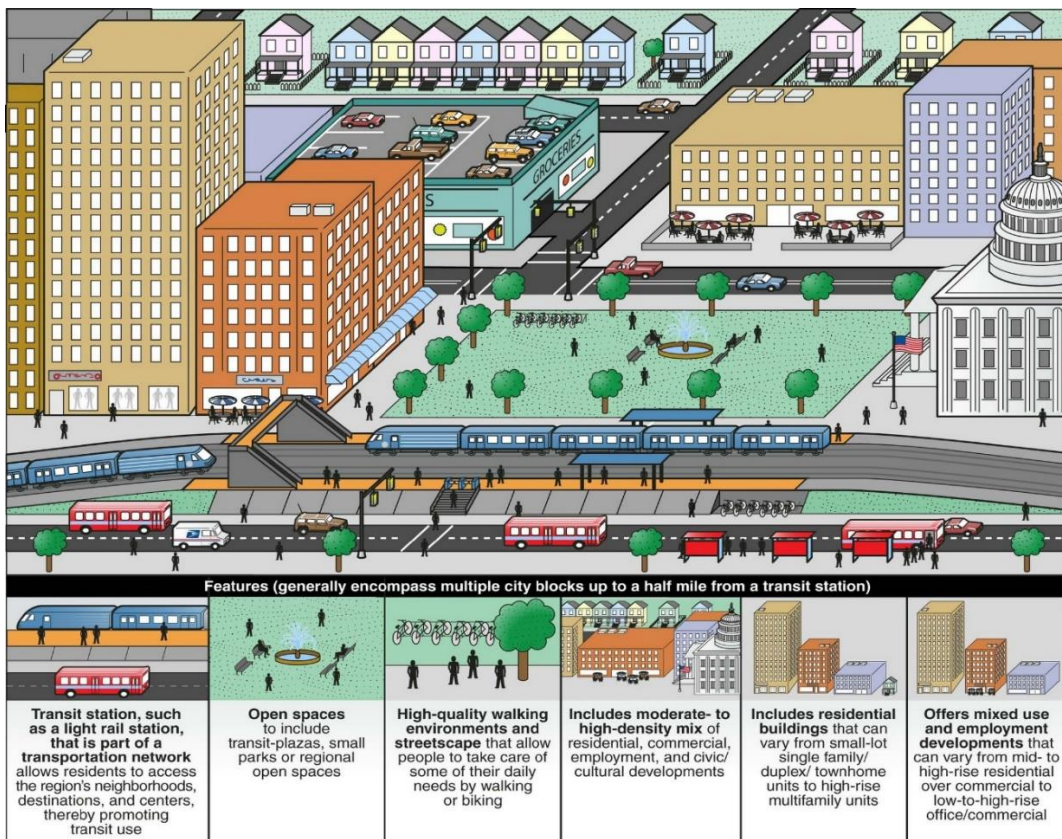
Stage 2: Site visit and / or technical committee

Once the above documents are submitted to EDB, a site visit shall be carried out, whereby promoters may be called upon to make a presentation of their project to relevant authorities.

The promoters are required to highlight in particular:

- a. Project details, site details and characteristics
- b. The issues that may hinder the realization of the project
- c. Areas requiring EDB and other authorities' involvement
- d. Works to be undertaken in the public realm

A technical committee may be convened to address complex issues that may arise with representatives of relevant public sector agencies and authorities.



Source: GAO. | GAO-15-70

Stage 3: Issue of Letter of Intent

A Letter of Intent is issued to the company making the application for a Transit Oriented Certificate under the scheme where the project meets the criteria of the scheme and the technical committee members have expressed no objection to the project.

The Letter of Intent (LOI) is valid for a period of 12 months from the date of the letter. The LOI stipulates all the conditions that should be met for the issue of the TOC to the company and may include the following, inter-alia:

- a. clearance from the Ministry responsible for Land Transport and Light Rail;
- b. obtention of BLUP from the District or Municipal Council;
- c. obtention of clearances or permits from relevant authorities which may include the following: Wastewater Management Authority (WMA), Land Drainage Authority (LDA), Water Resources Unit (WRU), Central Water Authority (CWA), Central Electricity Board (CEB), Road Development Authority (RDA), Ministry of Housing and Land Use Planning (MHLUP), Traffic Management and Road Safety Unit (TMRSU); and
- d. where applicable, obtention of the EIA Licence or PER from the Ministry responsible for Environment and Solid Waste.

In case of substantial change in ownership or transfer of shares in the company subsequent to the issue of the letter of intent, which could impact on the control of the company, the letter of intent would automatically be considered as null and void.

Stage 4: Obtention of permits and licences

The Transit Oriented Company (developer) will have to apply for and secure the different statutory permits, licenses or any clearance(s) as stated above, this may include Land Conversion permit, Building and Land Use Permit and EIA License.

Stage 5: Issue of the Transit Oriented Certificate

The Transit Oriented Certificate under the Transit Oriented Scheme is issued to a developer after submission to the Economic Development Board:

- a. A copy of the title deed duly registered and transcribed that certifies landownership by the developer for the purpose of the project under the TOS;
- b. A copy of the EIA Licence/ PER approval (if applicable);
- c. A copy of the Building and Land Use Permit from the District or Municipal council;

- d. A detailed implementation plan relating to the project(s) with full details on timeframe for completion; and
- e. Details of projects identified in the public realm and the implementation plan.

The TOC is issued subject to terms and conditions whereby the developer:

- a. shall at all times be responsible for the execution, development and the proper implementation of the scheme in accordance with the approval granted by the EDB;
- b. shall only conduct such business or activity, being business or activity permissible under the laws of Mauritius. Where such business requires any licence, authorization, permission, or consent (however described), the business must not be undertaken until such has been obtained;
- c. shall forthwith notify the EDB of any material change from the scheme as approved by the Board;
- d. shall provide the EDB, **after every three months, a progress report** on:
 - the implementation of the scheme; and
 - the building works certified by an engineer or a professional quantity surveyor.



H. INCENTIVES

A developer issued with a Transit Oriented Certificate may be eligible to claim exemption from payment of registration duty on lease or acquisition of land to develop an approved project.

A TOS developer issued with a registration certificate is granted accelerated annual allowance at a rate of 50% of the costs in respect of capital expenditure incurred on:

- a. renewable energy;

- b. energy-efficient equipment or noise control device;
- c. water-efficient plant, machinery and rainwater harvesting equipment;
- d. pollution control equipment/ device, including wastewater recycling equipment;
- e. composting equipment; and
- f. equipment for shredding, sorting and compacting plastic and paper for recycling.

I. DUTY AND TAXES

Duty and taxes	
Land Transfer tax (seller)	5% of the value of the property
Registration duty (buyer)	5% of the value of the property



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Annex: Stations and stops

Name	Notes	Coordinates
<i>Aapravasi Ghat</i>	Future rail-bus (Immigration Square bus station) interchange.	
Waterfront		20°09'38"S 57°30'05"E
Port Louis Victoria	Rail-bus (Victoria Urban Terminal) interchange.	20°09'45"S 57°29'54"E
St Louis		20°10'50"S 57°28'39"E
Coromandel	Black River Rd. Park and ride available.	20°11'01"S 57°28'11"E
Barkly	Nelson Mandela.	20°13'15"S 57°27'30"E
Beau Bassin		20°13'36"S 57°28'03"E
Vandermeersch	Reverend Lebrun.	20°14'07"S 57°28'23"E
Rose Hill Central	Rail-bus interchange, elevated.	20°14'31"S 57°28'33"E
Belle Rose	Victoria Ave.	20°15'20"S 57°28'40"E
Quatre Bornes Central	Rail-bus interchange.	20°15'55"S 57°28'42"E
St Jean		20°15'42"S 57°28'57"E
Trianon		20°15'40"S 57°29'24"E
Phoenix	Park and ride.	20°16'30"S 57°29'48"E
Phoenix Mall		20°16'48"S 57°29'50"E
Palmerstone		20°17'07"S 57°29'50"E
Vacoas Central	Rail-bus interchange. Park and ride will be available.	20°17'42"S 57°29'36"E
Sadally		20°18'07"S 57°29'45"E
Floreal		20°18'27"S 57°30'28"E
Curepipe North		20°18'43"S 57°31'16"E
Curepipe Central	Rail-bus (Jan Palach bus station) interchange, elevated.	20°19'00"S 57°31'32"E
<i>Ebéne Cybercity</i>	Rèduit branch. See § Future plans .	20°14'30"S 57°29'14"E
<i>Mahatma Gandhi</i>	Under construction	20°13'55"S 57°29'55"E