

**Similar Applications**

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses <sup>[1]</sup>	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
<b>Kwun Tong Business Area</b>							
1.	S/K14S/22 "OU(B)" A/K14/763  BHR: 100mPD	350 Kwun Tong Road, Kwun Tong (1,782m <sup>2</sup> )	C/O	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> 100mPD to 125.9mPD (+25.9%)	<b><u>Approved</u></b> with conditions on 22.3.2019	4m (Office)	<ul style="list-style-type: none"> <li>● Full-height setback along Hang Yip Street and Lai Yip Street in accordance with ODP requirement for improving pedestrian environment</li> <li>● Greening provision of 357m<sup>2</sup> (about 20% of Site Area)</li> <li>● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may still allow a stepped BH profile in the Area</li> <li>● Incorporation of refuge floor cum communal sky garden</li> </ul>
2.	S/K14S/22 "OU(B)" A/K14/764  <i>(same site as No. A/K14/771)</i>  BHR: 100mPD	32 Hung To Road, Kwun Tong (911.2m <sup>2</sup> )	C/O	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> 100mPD to 130.2mPD (+30.2%)	<b><u>Rejected</u></b> on 22.3.2019 on the following grounds: (I), (II) [see remarks for details]	3.5m (Office)	<ul style="list-style-type: none"> <li>● Full-height setback/ground floor NBA<sup>[2]</sup> along Hung To Road and the back alley in accordance with ODP requirement for improving pedestrian environment</li> <li>● Greening provision of 127m<sup>2</sup> (about 14% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of &lt;1,000m<sup>2</sup>]</li> <li>● Incorporation of refuge floor cum communal sky garden</li> </ul>
3.	S/K14S/22 "OU(B)" A/K14/766  BHR: 100mPD	41 King Yip Street, Kwun Tong (2,042.011m <sup>2</sup> )	C/O	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> 100mPD to 126mPD (+26%)	<b><u>Approved</u></b> with conditions on 16.8.2019	4.025m (Office)	<ul style="list-style-type: none"> <li>● Full-height setback/ground floor NBA<sup>[2]</sup> along King Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment.</li> <li>● Voluntary setback and corner setback (G/F to 1/F) along King Yip Street to provide more ground floor greening and weather protection to the pedestrian</li> <li>● Curvilinear building design with five layers of edge plantings</li> <li>● Greening provision of 530 m<sup>2</sup> (about 26% of Site Area)</li> <li>● Incorporation of refuge floor cum communal sky garden</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> <li>● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may not be incompatible with the planned stepped BH profile in the Area</li> </ul>

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4.	S/K14S/22 “OU(B)” A/K14/771  (same site as No. A/K14/764)  BHR: 100mPD	32 Hung To Road, Kwun Tong (911.2m <sup>2</sup> )	C/O	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> 100mPD to 119.7mPD (+19.7%)	<b>Approved</b> with conditions on 16.8.2019	3.5m (Office)	<ul style="list-style-type: none"> <li>● Full-height setback/ground floor NBA<sup>[2]</sup> along Hung To Road and the back alley in accordance with ODP requirement for improving pedestrian environment</li> <li>● Greening provision of 197 m<sup>2</sup> (about 22% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of &lt;1,000m<sup>2</sup>]</li> <li>● Incorporation of refuge floor cum communal sky garden</li> <li>● Tower deposition to allow building separation at tower with adjoining building to facilitate wind penetration to inland area</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> <li>● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may not be incompatible with the planned stepped BH profile in the Area.</li> <li>● Confined site configuration while the applicant had made effort in the building design to improve the local environment as listed above.</li> </ul>
5.	S/K14S/22 “OU(B)” A/K14/774  BHR: 100mPD	7 Lai Yip Street, Kwun Tong (1,026m <sup>2</sup> )	C/O	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> 100mPD to 125.9mPD (+25.9%)	<b>Approved</b> with conditions on 13.12.2019	4m (Office)	<ul style="list-style-type: none"> <li>● Full-height setback along Lai Yip Street and Hang Yip Street in accordance with ODP requirement for improving pedestrian environment</li> <li>● Greening provision of 222.7m<sup>2</sup> (about 22% of Site Area)</li> <li>● Incorporation of refuge floor cum communal sky garden</li> <li>● Weather protection canopy along the frontage facing Lai Yip Street</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> <li>● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may still allow a stepped BH profile</li> </ul>
6.	S/K14S/22 “OU(B)” A/K14/775  BHR: 100mPD	132 Wai Yip Street, Kwun Tong (418.06m <sup>2</sup> )	C/O	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> 100mPD to 120mPD (+20%)	<b>Approved</b> with conditions on 3.1.2020	3.9m (Office)	<ul style="list-style-type: none"> <li>● Full-height setback/ground floor NBA<sup>[2]</sup> along Wai Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment</li> <li>● Greening provision of 63m<sup>2</sup> including vertical greenery (about 15% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of &lt;1,000m<sup>2</sup>]</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> <li>● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and could be tolerated</li> </ul>

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7.	S/K14S/22 "OU(B)" A/K14/773  BHR: 100mPD	82 Hung To Road, Kwun Tong (929.03m <sup>2</sup> )	I	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> 100mPD to 119.85mPD (+19.85%)	<u>Approved</u> with conditions on 17.1.2020	4.1m (Workshop)	<ul style="list-style-type: none"> <li>● Voluntary full-height setback along Hung To Road for improving pedestrian environment</li> <li>● Greening provision of 202.3m<sup>2</sup> including vertical greenery (about 21.8% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of &lt;1,000m<sup>2</sup>]</li> <li>● Incorporation of refuge floor cum communal sky garden</li> <li>● Weather protection canopy along the frontage facing Hung To Road</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> <li>● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and could be tolerated</li> </ul>
8.	S/K14S/22 "OU(B)" A/K14/778  BHR: 100mPD	203 Wai Yip Street, Kwun Tong (935.99m <sup>2</sup> )	I	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> Nil	<u>Approved</u> with conditions on 17.1.2020	4.04m (Workshop)	<ul style="list-style-type: none"> <li>● Full-height setback/ground floor NBA<sup>[2]</sup> along Wai Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment</li> <li>● Greening provision of 270m<sup>2</sup> (about 29% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of &lt;1,000m<sup>2</sup>]</li> <li>● Weather protection canopy along the frontage facing Wai Yip Street</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> </ul>
9.	S/K14S/22 "OU(B)" A/K14/777  BHR: 100mPD	71 How Ming Street, Kwun Tong (1,271.66m <sup>2</sup> )	C/O	<u>PR</u> 12 to 14.4 (+20%)	<u>Approved</u> with conditions on 15.5.2020	5m (Office)	<ul style="list-style-type: none"> <li>● Full-height setback/ground floor NBA<sup>[2]</sup> along How Ming Street, Chong Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment</li> <li>● Incorporation of refuge floor cum communal sky garden</li> <li>● Weather protection canopy along the frontage facing How Ming Street and Chong Yip Street</li> <li>● Greening provision of about 20% of Site Area</li> <li>● Compliance with SBDG</li> </ul>
10.	S/K14S/22 "OU(B)" A/K14/782  BHR: 100mPD	4 Tai Yip Street, Kwun Tong (557.414m <sup>2</sup> )	C/O	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> 100mPD to 125.9mPD (+25.9%)	<u>Approved</u> with conditions on 15.5.2020	3.875m (Shop and Services (Medical-related))	<ul style="list-style-type: none"> <li>● Full-height setback along Tai Yip Street and Yan Yip Street in accordance with ODP requirement for improving pedestrian environment</li> <li>● Pedestrian Accesses on G/F facing both Tai Yip Street and Yan Yip Street to enhance pedestrian connectivity</li> <li>● Greening provision of not less than 20% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of &lt;1,000m<sup>2</sup>]</li> <li>● Incorporation of refuge floor cum communal podium garden</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> </ul>
<b>Kowloon Bay Business Area</b>							
11.	S/K13/29 "OU(B)" A/K13/313	13 Sheung Yuet Road, Kowloon Bay, Kowloon (1,696m <sup>2</sup> )	O	<u>PR</u> 12 to 14.4 (+20%)	<u>Rejected</u> on 17.3.2020 on the following	4.2m (Office)	<ul style="list-style-type: none"> <li>● Proposed setbacks along Sheung Yuet Road and Wang Tai Road in accordance with ODP requirement for air ventilation, footpath widening and amenity purposes</li> <li>● Ground floor NBA from the lot boundary abutting Wang Chiu Road in accordance with OZP requirement</li> <li>● Incorporation of refuge floor cum communal sky garden</li> </ul>

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	BHR: 120mPD			<u>BH</u> 120mPD to 141.25mPD (+17.7%)	grounds: (III), (IV) [see remarks for details]		<ul style="list-style-type: none"> <li>Greenery coverage of 438m<sup>2</sup> (about 26% of Site Area) excluding 146m<sup>2</sup> of greenery area at refuge floor at 16/F</li> <li>Compliance with SBDG</li> </ul>
<b>San Po Kong Business Area</b>							
12.	S/K11/29 "OU(B)" A/K11/233  BHR: 120mPD	1 Tsat Po Street, San Po Kong (1,386m <sup>2</sup> )	I	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> Nil	<u>Approved</u> with conditions on 12.4.2019	3.325m (Workshop)	<ul style="list-style-type: none"> <li>Full-height setback in accordance with OZP along Tsat Po Street and Sam Chuk Street for improving pedestrian environment.</li> <li>Greening provision of 278 m<sup>2</sup> (about 20% of Site Area)</li> </ul>
13.	S/K11/29 "OU(B)" A/K11/235  BHR: 120mPD	No. 21 Luk Hop Street, San Po Kong, Kowloon (776.1m <sup>2</sup> )	I	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> Nil	<u>Approved</u> with conditions on 13.12.2019	3.603m (Workshop)	<ul style="list-style-type: none"> <li>Full-height setback wider than OZP requirement to achieve a total of 3.4m-wide setback from the lot boundary abutting Luk Hop Street featured with landscape planters</li> <li>Greening provision of 278 m<sup>2</sup> (about 35.8% of Site Area) by inclusion of planters, vertical green wall and green roof</li> <li>Incorporation of green building design measures</li> </ul>
<b>Hung Hom</b>							
14.	S/K9/26 "OU(B)" A/K9/274  BHR: 120mPD	13 Hok Yuen Street, Hung Hom (3,698.8m <sup>2</sup> )	C/O	<u>PR</u> 12 to 12.782 (+6.52%)  <u>BH</u> Nil	<u>Approved</u> with conditions on 17.5.2019	N/A	<ul style="list-style-type: none"> <li>Proposed corner setback at Hok Yuen Street and 4.5m setbacks from adjacent buildings at east and west for improving the pedestrian environment</li> <li>A 26.8m-wide building gap between the two office towers</li> <li>Greening provision of 740 m<sup>2</sup> (including a landscaped garden on 1/F) (about 20% of Site Area)</li> </ul>
<b>Yau Tsim Mong Area</b>							
15.	S/K3/31 "OU(B)" A/K3/582  BHR: 110mPD	107-111 (Odd Numbers Only) Tung Chau Street, Tai Kok Tsui, Kowloon (386.5m <sup>2</sup> )	I	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> Nil	<u>Approved</u> with conditions on 17.3.2020	4.025m (Workshop)	<ul style="list-style-type: none"> <li>Setback above 15m measured from the mean street level along Maple Street in accordance with OZP requirement</li> <li>Full-height setback along Tung Chau Street</li> <li>Greening ratio of about 33.4% (about 129m<sup>2</sup>) with greening on G/F (about 11m<sup>2</sup>) and 3/F (about 48m<sup>2</sup>) as well as vertical greening (about 70m<sup>2</sup>)</li> <li>Incorporation of landscaped area at the setback on G/F</li> <li>Incorporation of a sky garden with edge planters on 3/F</li> </ul>

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							<ul style="list-style-type: none"> <li>● Provision of vertical greening features on the podium façade along Tung Chau Street</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> </ul>
<b>Cheung Sha Wan</b>							
16.	S/K5/37 "OU(B)" A/K5/813  BHR: 120mPD	822 Lai Chi Kok Road, Cheung Sha Wan (1318.3m <sup>2</sup> )	C/O	<u>PR</u> 12 to 14.4 (+20%)  <u>BH</u> 120mPD to 125.7mPD (+4.75%)	<u>Approved</u> with conditions on 6.3.2020	4.375m (Office)	<ul style="list-style-type: none"> <li>● Full-height setbacks along Lai Chi Kok Road and Cheung Lai Street in accordance with ODP requirement for street widening and streetscape improvement</li> <li>● Voluntary setback at G/F and 1/F along Cheung Yee Street to provide shading and to enhance pedestrian connectivity and comfort</li> <li>● Incorporation of refuge floor cum communal sky garden</li> <li>● Incorporation of flat roofs/recessed terraces with greenery</li> <li>● Greenery coverage of 263.891m<sup>2</sup> (about 20% of Site Area) with an additional 50m<sup>2</sup> vertical greening</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> </ul>
<b>Kwai Chung</b>							
17.	S/KC/29 "OU(B)" A/KC/460  BHR: 130mPD	57 – 61 Ta Chuen Ping Street, Kwai Chung (2,261m <sup>2</sup> )	I-O	<u>PR</u> 9.5 to 11.4 (+20%)  <u>BH</u> Nil	<u>Approved</u> with conditions on 5.7.2019	N/A	<ul style="list-style-type: none"> <li>● Full-height setback along Ta Chuen Ping Street wider than OZP requirement for long-term road widening and improving air ventilation</li> </ul>
18.	S/KC/29 "OU(B)" A/KC/464  BHR: 105mPD	20-24 Kwai Wing Road, Kwai Chung (1,579m <sup>2</sup> )	I	<u>PR</u> 9.5 to 11.4 (+20%)  <u>BH</u> Nil	<u>Approved</u> with conditions on 29.11.2019	4.2m (Workshop)	<ul style="list-style-type: none"> <li>● Voluntary full-height setbacks at the northern portion of site and along Castle Peak Road - Kwai Chung for improving pedestrian environment, air ventilation and visual permeability</li> <li>● Greening provision of 316m<sup>2</sup> (about 20% of Site Area)</li> <li>● Provision of communal escalator with universal accessible lift and staircase open to the public for improving pedestrian connectivity, accessibility and comfort</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> </ul>
19.	S/KC/29 "OU(B)" A/KC/463  BHR: 105mPD	Kwai Chung Town Lot (KCTL) 49 and Ext. RP, 45-51 Kwok Shui Road, Kwai Chung, New Territories (Gross Site	I	<u>PR</u> 9.5 to 11.4 (+20%)  <u>BH</u> Nil	<u>Approved</u> with conditions on 17.3.2020	4.20m (Workshop)	<ul style="list-style-type: none"> <li>● 2m Voluntary full-height setback along Kwok Shui Road for proposed pedestrian footpath and landscaped area</li> <li>● Weather protection canopy along the northern and western facades</li> <li>● Greening ratio of about 28.37% (335m<sup>2</sup>)</li> <li>● Incorporation of landscaped area at G/F, 1/F, 3/F and the rooftop</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> </ul>

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		Area: 1,324.3m <sup>2</sup> Net Site Area <sup>[3]</sup> : 1,181.727 m <sup>2</sup> )					
<b>Tsuen Wan</b>							
20.	S/TW/33 “Industrial” A/TW/505  BHR: 100mPD	14-18 Ma Kok Street, Tsuen Wan (1,858.1m <sup>2</sup> )	I	<u>PR</u> 9.5 to 11.4 (+20%)  <u>BH</u> Nil	<u>Approved</u> with conditions on 1.11.2019	3.5m (Workshop)	<ul style="list-style-type: none"> <li>● Voluntary full-height setback along Ma Kok Street for improving pedestrian environment</li> <li>● Greening at G/F (with 0.6m setback) along Tsuen Yip Street</li> <li>● Greening provision of 389 m<sup>2</sup> (about 20% of Site Area)</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> </ul>
21.	S/TW/33 “Industrial” A/TW/509  BHR: 100mPD	8-14 Sha Tsui Road, Tsuen Wan (4,645.16m <sup>2</sup> )	I	<u>PR</u> 9.5 to 11.4 (+20%)  <u>BH</u> Nil	<u>Approved</u> with conditions on 13.12.2019	4.95m (Workshop)	<ul style="list-style-type: none"> <li>● Full-height setback along Sha Tsui Road, Pun Shan Street and back alley</li> <li>● Building setback above 1/F</li> <li>● Landscape and seating provided in setback area along Sha Tsui Road and Pun Shan Street</li> <li>● Substantial vertical greenery in front facade and total greenery coverage of not less than 20%</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> </ul>
22.	S/TW/33 “OU(B)” A/TW/508  BHR: 100mPD	18-20 Pun Shan Street, Tsuen Wan (2,322.557m <sup>2</sup> )	I	<u>PR</u> 9.5 to 11.4 (+20%)  <u>BH</u> Nil	<u>Approved</u> with conditions on 17.1.2020	3.85m (Workshop)	<ul style="list-style-type: none"> <li>● Full-height setback along Pun Shan Street in accordance with ODP requirement for improving pedestrian environment</li> <li>● Setback from G/F to 3/F along the service lane at the west of the application site</li> <li>● Landscape area provided at 1/F, 2/F and roof floor</li> <li>● Greenery provided at entrance foyer and run-in/out, and total greenery coverage of not less than 20%</li> <li>● Compliance with SBDG and incorporation of green building design measures</li> </ul>

#### Notes

[1] Proposed Uses: Industrial (I), Commercial/ Office (C/O), Office (O) and Industrial-Office (I-O)

[2] For back alleys, in addition to a 1.5m full-height setback, a 1.5m non-building area (NBA) from ground level with clear headroom of 5.1 are required, which basement structures as well as cantilevered structures projecting above the minimum 5.1m headroom are allowed.

[3] The Site comprises parent lot KCTL No.49 (about 1,181.727m<sup>2</sup>) and Ext. RP (about 142.6m<sup>2</sup>). The extension area was granted after the building plans for the existing Topy Tower were approved in 1974. Under the lease, no structure other than boundary walls and fences is permitted to be erected within the extension area except with prior approval of the Director of Lands, and the extension area shall not be PR/site coverage accountable. Hence, only the area of KCTL 49, i.e. about 1,181.727m<sup>2</sup> should be accountable for PR/GFA calculation.

Rejection Reasons

- (I) The applicant failed to demonstrate that there were sufficient planning and design merits to justify the proposed minor relaxation of building height restriction.
- (II) The approval of the application would set an undesirable precedent for similar applications for minor relaxation of building height restriction in the area, the cumulative effects of approving similar applications would have adverse visual impact on the area.
- (III) The applicant failed to demonstrate that the proposed minor relaxation of BH restriction will not create adverse visual impact on the area.
- (IV) The applicant had not provided strong justifications for the proposed minor relaxation of BH restriction.

*Advisory clauses*

- (a) the approval of the application does not imply that any proposal on building design elements to fulfill the requirements under the Sustainable Building Design Guidelines and any gross floor area (GFA) concession of the proposed commercial/office development will be granted by the Building Authority (BA). The applicant should approach the Buildings Department (BD) direct to obtain the necessary approval. If the proposed building design elements and GFA concession are not approved/granted by the BA and major changes to the current scheme are required, a fresh planning application to the Town Planning Board (TPB) may be required;
- (b) to note the comments of the District Lands Officer/Kowloon East, Lands Department (LandsD) on the need to apply to the District Lands Office, Kowloon East for a lease modification to give effect to the proposal. However, there is no guarantee that the lease modification/ land exchange to implement the proposal. When processing the lease modification application, LandsD will impose such appropriate terms and conditions including user restriction, the 5-year time limit for completion of the development, payment of full premium and administrative fee, etc. There is no guarantee that the lease modification would be approved. The application will be considered by LandsD acting in its capacity as the landlord at its own discretion and any approval given will be subject to such terms and conditions as may be imposed by LandsD. Under the Policy, the lease modification letter/conditions of land exchange shall be executed within 3 years from the date of the TPB's approval letter;
- (c) to note the comments of the Chief Building Surveyor/Kowloon, BD that regarding the proposed setback to be surrendered, whether bonus PR could be granted for the surrender under Building (Planning) Regulation (B(P)R) 22(2) could only be considered in the building plan (BP) submission stage. Bonus PR for the development will only be allowed if such surrender is considered essential and acceptable to relevant departments. PNAP APP-20 is relevant. Detailed comments under the Buildings Ordinance will be given at the BP submission stage;
- (d) to note the comments of the Director of Environmental Protection that the applicant should minimise the generation of construction and demolition (C&D) materials; reuse and recycle the C&D materials on-site as far as possible; and observe and comply with the legislative requirements and prevailing guidelines on proper waste management for the proposed development; and
- (e) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that if proprietary vertical greening system is proposed, the applicant is reminded to take into consideration of the long-term commitment to provide proper maintenance for healthy and sustainable plant growth and sufficient soil provision should be provided for plant growth at 1/F and 2/F. Given the long frontage of the application site, the applicant should explore the possibility to incorporate further design measures in particular relating to the setback areas as so to further enhance streetscape and pedestrian amenities, for instance, the applicant may consider the possibilities of incorporating pedestrian weather protection along the development edges where appropriates and further extending the landscape treatments along the building frontages.