

Similar Applications in Kwun Tong Business Area and Kowloon Bay Business Area

No.	OZP Zoning Application No.	Address (Site Area)	Proposed Uses ^[1]	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
Kwun Tong Business Area							
1.	S/K14S/22 “OU(B)” A/K14/763 BHR: 100mPD	350 Kwun Tong Road, Kwun Tong (1,782m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 125.9mPD (+25.9%)	Approved with conditions on 22.3.2019	4m (Office)	<ul style="list-style-type: none"> ● Full-height setback along Hang Yip Street and Lai Yip Street in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 357m² (about 20% of Site Area) ● 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 ● Incorporation of refuge floor cum communal sky garden
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 ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 130.2mPD (+30.2%)	Rejected on 22.3.2019 on the following grounds: (I), (II) [see remarks for details]	3.5m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Hung To Road and the back alley in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 127m² (about 14% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Incorporation of refuge floor cum communal sky garden
3.	S/K14S/22 “OU(B)” A/K14/766 BHR: 100mPD	41 King Yip Street, Kwun Tong (2,042.011m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 126mPD (+26%)	Approved with conditions on 16.8.2019	4.025m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along King Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment. ● 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 ● Curvilinear building design with five layers of edge plantings ● Greening provision of 530 m² (about 26% of Site Area) ● Incorporation of refuge floor cum communal sky garden ● Compliance with SBDG and incorporation of green building design measures ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may not

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							be incompatible with the planned stepped BH profile in the Area
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 ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 119.7mPD (+19.7%)	Approved with conditions on 16.8.2019	3.5m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Hung To Road and the back alley in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 197 m² (about 22% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Incorporation of refuge floor cum communal sky garden ● Tower deposition to allow building separation at tower with adjoining building to facilitate wind penetration to inland area ● Compliance with SBDG and incorporation of green building design measures ● 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. ● Confined site configuration while the applicant had made effort in the building design to improve the local environment as listed above.
5.	S/K14S/22 "OU(B)" A/K14/774 BHR: 100mPD	7 Lai Yip Street, Kwun Tong (1,026m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 125.9mPD (+25.9%)	Approved with conditions on 13.12.2019	4m (Office)	<ul style="list-style-type: none"> ● Full-height setback along Lai Yip Street and Hang Yip Street in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 222.7m² (about 22% of Site Area) ● Incorporation of refuge floor cum communal sky garden ● Weather protection canopy along the frontage facing Lai Yip Street ● Compliance with SBDG and incorporation of green building design measures ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may still allow a stepped BH profile
6.	S/K14S/22 "OU(B)" A/K14/775 BHR: 100mPD	132 Wai Yip Street, Kwun Tong (418.06m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 120mPD (+20%)	Approved with conditions on 3.1.2020	3.9m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Wai Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 63m² including vertical greenery (about 15% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Compliance with SBDG and incorporation of green building design measures ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and could be tolerated

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7.	S/K14S/22 "OU(B)" A/K14/773 BHR: 100mPD	82 Hung To Road, Kwun Tong (929.03m ²)	I	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 119.85mPD (+19.85%)	Approved with conditions on 17.1.2020	4.1m (Workshop)	<ul style="list-style-type: none"> ● Voluntary full-height setback along Hung To Road for improving pedestrian environment ● Greening provision of 202.3m² including vertical greenery (about 21.8% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Incorporation of refuge floor cum communal sky garden ● Weather protection canopy along the frontage facing Hung To Road ● Compliance with SBDG and incorporation of green building design measures ● Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and could be tolerated
8.	S/K14S/22 "OU(B)" A/K14/778 BHR: 100mPD	203 Wai Yip Street, Kwun Tong (935.99m ²)	I	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> Nil	Approved with conditions on 17.1.2020	4.04m (Workshop)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Wai Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment ● Greening provision of 270m² (about 29% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Weather protection canopy along the frontage facing Wai Yip Street ● Compliance with SBDG and incorporation of green building design measures
9.	S/K14S/22 "OU(B)" A/K14/777 BHR: 160mPD	71 How Ming Street, Kwun Tong (1,271.66m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%)	Approved with conditions on 15.5.2020	5m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along How Ming Street, Chong Yip Street and the back alley in accordance with ODP requirement for improving pedestrian environment ● Incorporation of refuge floor cum communal sky garden ● Weather protection canopy along the frontage facing How Ming Street and Chong Yip Street ● Greening provision of about 20% of Site Area ● Compliance with SBDG
10.	S/K14S/22 "OU(B)" A/K14/782 BHR: 100mPD	4 Tai Yip Street, Kwun Tong (557.414m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 125.9mPD (+25.9%)	Approved with conditions on 15.5.2020	3.875m (Shop and Services (Medical-related))	<ul style="list-style-type: none"> ● Full-height setback along Tai Yip Street and Yan Yip Street in accordance with ODP requirement for improving pedestrian environment ● Pedestrian Accesses on G/F facing both Tai Yip Street and Yan Yip Street to enhance pedestrian connectivity ● Greening provision of not less than 20% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Incorporation of refuge floor cum communal podium garden ● Compliance with SBDG and incorporation of green building design measures

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11.	S/K14S/22 “OU(B)” A/K14/780 BHR: 100mPD	107-109 Wai Yip Street, Kwun Tong (1,170.578m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 115mPD (+15%)	Approved with conditions on 29.5.2020	4.08m (Office)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Wai Yip Street and the back alley in accordance with ODP requirement and additional above-ground NBA along the back alley for improving pedestrian environment ● 4.4m-wide public passageway on G/F for better connection between Wai Yip Street and the back alley ● Greening provision of about 27% of Site Area ● Compliance with SBDG and incorporation of green building design measures
12.	S/K14S/22 “OU(B)” A/K14/783 BHR: 100mPD	1 Tai Yip Street, Kwun Tong (536.98m ²)	Hotel	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 115.4mPD (+15.4%)	Approved with conditions on 20.11.2020	3.15m (Hotel)	<ul style="list-style-type: none"> ● Full-height setback/ground floor NBA^[2] along Wai Yip Street, Tai Yip Street and the back alley in accordance with ODP requirement ● Further corner setback on G/F to 3/F at junction of Wai Yip Street and Tai Yip Street ● Incorporation of communal podium garden ● Weather protection canopy along the frontage facing Wai Yip Street ● Greening provision of about 28.7% of Site Area [Note: greenery requirement under SBDG is not applicable to this site of <1,000m²] ● Compliance with SBDG and incorporation of green building design measures

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.

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.

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Kowloon Bay Business Area							
13.	S/K13/29 “OU(B)” A/K13/313 (same site as No. A/K13/320) BHR: 120mPD	13 Sheung Yuet Road, Kowloon Bay, Kowloon (1,696m ²)	O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 120mPD to 141.25mPD (+17.7%)	Rejected on 17.3.2020 on the following grounds: (III), (IV) [see remarks for details]	4.2m (Office)	<ul style="list-style-type: none"> Proposed setbacks along Sheung Yuet Road and Wang Tai Road in accordance with ODP requirement for air ventilation, footpath widening and amenity purposes Ground floor NBA from the lot boundary abutting Wang Chiu Road in accordance with OZP requirement Incorporation of refuge floor cum communal sky garden Greenery coverage of 438m² (about 26% of Site Area) excluding 146m² of greenery area at refuge floor at 16/F Compliance with SBDG Incorporation of potential connections on 1/F to the future footbridge system as stipulated on the ODP
14.	S/K13/29 “OU(B)” A/K13/316 BHR: 100mPD	33 Tai Yip Street, Kwun Tong, Kowloon (1,070.244m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> 100mPD to 109.9mPD (+9.9%)	Approved with conditions on 10.7.2020	4.1m (Office)	<ul style="list-style-type: none"> A voluntary ground floor setback of 1.5m from Tai Yip Street and 1.8m to 2.3m from Wai Yip Street in order to improve pedestrian environment Greening at G/F, 2/F, 3/F and R/F achieving a total greenery ratio of about 20% Compliance with SBDG
15.	S/K13/30 “OU(B)” A/K13/320 (same site as No. A/K13/313) BHR: 120mPD	13 Sheung Yuet Road, Kowloon Bay, Kowloon (1,696m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%) <u>BH</u> Nil	Deferred on 4.9.2020	4.2m (Office)	<ul style="list-style-type: none"> Full-height setbacks (aboveground) from the lot boundary abutting Sheung Yuet Road and Wang Tai Road in accordance with ODP requirement for air ventilation, footpath widening and amenity purposes Full-height setback (aboveground) from the lot boundary abutting Wang Chiu Road in accordance with the NBA requirement under the OZP Greenery coverage of 462m² (about 27% of Site Area) Compliance with SBDG Incorporation of potential connections on 1/F to the future footbridge system as stipulated on the ODP
16.	S/K13/30 “OU(B)” A/K13/318	20 Kai Cheung Road, Kowloon Bay, Kowloon	C/O	<u>PR</u> 12 to 14.4 (+20%)	Approved with conditions on 23.10.2020	4.1m (Office)	<ul style="list-style-type: none"> Full-height setbacks from lot boundary abutting Wang Chiu Road in accordance with the NBA requirement under the OZP Full-height setbacks from lot boundary abutting Lam Hing Street in accordance with ODP requirement for air ventilation, footpath widening and amenity purposes

	BHR: 120mPD			<u>BH</u> 120mPD to 128.2mPD (+6.8%)			<ul style="list-style-type: none"> ● Greenery ratio of 2,204m² (about 23.1% of Site Area) ● A podium garden on 2/F that is open to public at specified hours ● A covered pedestrian thoroughfare (4.5m-wide) transversing the Site on G/F connecting Lam Hing Street and Kai Cheung Road ● Separation of 15m between the two proposed towers on podium and 25m-wide void area at G/F ● Compliance with SBDG ● A 24-hour covered walkway on 1/F with a lift to G/F allowing connections to the existing footbridge and two potential footbridges to adjacent buildings
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Other Technical Comments from Government Departments

Comments of the Chief Town Planner/Urban Design and Landscape

- (a) There is no relevant information, such as elevations of the building façade with major dimensions of proposed VG system, typical planter details with key dimensions, planting arrangement, maintenance access, etc., provided in the submission to demonstrate the viability of the proposed landscape provisions.
- (b) Noting that some of the proposed planting area, peripheral planters and VG systems on 2/F to 5/F are located under covered area, and the proposed tree planting on 2/F podium garden is near the rear alley which may probably be affected by the problem of overshadowing. The applicant should review the overall planting design and select suitable shade tolerant plant species for better plant growth.

Comments of Chief Engineer/ Mainland South, Drainage Services Department on the SIA in FI (1) submitted on 5.10.2020

- (c) The SIA for the subject planning application should meet the full satisfaction of the Environmental Protection Department.
- (d) Appendix 2.1, Table 2 - Please clarify the inconsistencies on pipe roughness for the sewer connecting the Site and public sewerage system (S0-S8). According to Remark (2) ks value of 0.6mm were proposed for clayware sewer, however, such assumption was not applied in the calculations in Table 2.
- (e) Please note polyethylene pipes should generally be used for sewer connections, please review the proposed material of sewer from S0-S8.

Recommended Advisory Clauses

- (a) to resolve any land issues relating to the proposed redevelopment with the concerned owner(s) of the application site;
- (b) the approval of the application does not imply that any proposal on building design elements to fulfil the requirements under the Sustainable Building Design Guidelines and any gross floor area (GFA) concession of the proposed commercial 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;
- (c) to note the comments of the Lands Department (LandsD) that the proposed redevelopment of the Lot for “non-polluting industrial” use in planning terms covers a wide range of uses (e.g. research and development, quality control, information technology support, training for the process of enhanced productivity/delivery of goods, computer-aided design service, editing of newspapers/books/magazines, and after-sale services of products, etc.) that will constitute uses in breach of the lease conditions including the user restriction of “industrial purposes” which should involve manufacturing process as decided by court cases. The applicant, being one of the owners of the Lot under application, should be fully aware of the user restriction of the “industrial” uses under lease which has a different interpretation under the TPB’s definition under Column 1 uses permitted under the planning regime. If the planning application is approved by the Board and in which the proposed use and/or any development parameters as approved by the Board contravene the lease conditions of the Lot, the lot owners have to apply jointly to LandsD for a lease modification. However, there is no guarantee that the lease modification application will be approved. Such application, if received by the LandsD, will be considered by LandsD acting in the capacity as the landlord at its sole discretion. In the event any such application is approved, it would be subject to such terms and conditions including, among others, the payment of premium and administrative fee as may be imposed by the LandsD. Upon receipt of the lease modification application which should be jointly submitted by all owners, LandsD will impose such appropriate terms and conditions including user restriction for non-residential purposes, the 5-year time limit for completion of the development, payment of full premium and administrative fee, other condition applicable to the Policy etc. There is no guarantee that the application will be approved by LandsD;
- (d) to note the comments of the Chief Building Surveyor/Kowloon, BD that the proposed surrender of setback area at G/F in return for bonus plot ratio and bonus site coverage are subject to the acceptance of the Building Authority and relevant government departments in building plan submission stage;

- (e) to note the comments of the Director of Environmental Protection that the applicant is advised to 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. The applicant is advised to observe the relevant requirements under the Air Pollution Control Ordinance and Waste Disposal Ordinance for asbestos control prior to demolition of the existing building; and
- (f) to note the comments of the Chief Engineer/Mainland South, Drainage Services Department that the sewerage impact assessment needs to meet the full satisfaction of the Environmental Protection Department as the planning authority of sewerage infrastructure.