

Similar Applications

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%)	<u>Approved</u> 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%)	<u>Rejected</u> 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%)	<u>Approved</u> 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 be incompatible with the planned stepped BH profile in the Area

No.	O/ZP Zoning Application No.	Address (Site Area)	Proposed Uses ⁽¹⁾	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
4.	S/K14S/22 "OU(B)" A/K14/771 <i>(same site as No. A/K14/764)</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 119.7mPD (+19.7%)	<u>Approved</u> 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%)	<u>Approved</u> 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%)	<u>Approved</u> 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

No.	O/ZP Zoning Application No.	Address (Site Area)	Proposed Uses ⁽¹⁾	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height (Uses)	Major Planning & Design Merits
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%)	<u>Approved</u> 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	<u>Approved</u> 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: 100mPD	71 How Ming Street, Kwun Tong (1,271.66m ²)	C/O	<u>PR</u> 12 to 14.4 (+20%)	<u>Approved</u> with conditions on 15.5.2020	5 m (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%)	<u>Approved</u> 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

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
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%)	<u>Approved</u> 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
Kowloon Bay Business Area							
12.	S/K13/29 "OU(B)" A/K13/313 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%)	<u>Rejected</u> 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
13.	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%)	<u>Approved</u> 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

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.

Detailed Comments of Government Departments

1. Comments of the Chief Town Planner/Urban Design and Landscape, Planning Department
 - (a) More green opportunities, particularly tree planting at the promenade, should be further explored to enhance the landscape quality of the development.
 - (b) Sufficient signage should be provided to indicate the location of and direction to the promenade. More seating facilities facing the waterfront should also be considered for better public enjoyment.
 - (c) The applicant should consider providing planting areas and seating facilities, etc. along the proposed 3m wide public passage to the promenade to create a more comfortable walking environment and a better interface with the adjacent planned open space.
2. Comments of the Project Manager (East), Civil Engineering and Development Department

For Greenway Network:

- (a) The width of the shared-use pavement for pedestrians and cyclists inside the proposed waterfront promenade. As this path will form part of the "Green Way" network in Kai Tak Development (KTD) for shared-use between pedestrians and cyclists, for which the recommended path width is between 6 to 10m. It is suggested that the Applicant should take into consideration such recommendation as far as possible in the promenade design.
- (b) Provisions and/or flexibility should be allowed on the design of the shared-use pavement for connection with the adjoining waterfront promenade in future, aiming to provide a seamless shared-path network.

For General Design Requirements of the Waterfront Promenade:

- (c) The promenade shall be designed and constructed at ground level to match the finished floor level of the adjoining promenade/open space without any level difference.
- (d) The design of the promenade shall be coherent to the adjoining promenade/open space in terms of design language, soft landscape (e.g. structural trees), lighting ambience, paving, balustrade, street furniture, light fittings, and signage, etc..
- (e) The promenade shall be designed to maximize visibility from the building frontage to the seaside. For instance, the clear branch height of tree canopies shall be kept to a minimum of 2.5m. The combined effect of shrub planting and earth mounding shall be kept to maximum height of 1m.

- (f) Not less than 40% of the area of the promenade shall be planted with greening as per the planning intention of promenade at the South Apron Area under Recommended Outline Development Plan (RODP).
- (g) The promenade shall be universal accessible and pedestrian friendly. For instance, all planters and tree pits shall have a kerb of height not more than 100mm except for turf area which shall be kerb-less to enhance walkability.
- (h) Sufficient seating with shelters shall be provided.
- (i) Structural trees shall be provided to provide shading to the users and cyclists.
- (j) It is encouraged to incorporate the branding of Kai Tak in the design of the promenade with reference to the Kai Tak Brand Identity Manual and Public Creatives Guidelines.

3. Comments of the Chief Building Surveyor/Kowloon, Buildings Department

- (a) Under Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) No. APP-42, 100% GFA concessions may be granted to non-essential plant rooms subject to the compliance with the pre-requisites and the overall cap on GFA concessions stipulated in PNAP APP-151 on Building Design to Foster a Quality and Sustainable Built Environment.
- (b) Under PNAP APP-2, 100% GFA concession may be granted for underground private carpark while only 50% GFA concession may be granted for aboveground private carpark, provided that the car parking spaces are electric vehicle (EV) charging-enabling.

Recommended Advisory Clauses

- (a) 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;
- (b) to note the comments of the District Lands Officer/Kowloon East, Lands Department (LandsD) and Chief Estate Surveyor/Development Control, LandsD on the need to apply to LandsD for a lease modification to give effect to the proposal. However, there is no guarantee at this stage that the lease modification would be approved and if the application is for lease modification is approved by LandsD in the capacity as landlord at his sole discretion, it will be subject to such terms and conditions including the full payment of premium and administration fee as considered appropriate by LandsD. Among the conditions under the 2018 Industrial Building revitalisation measure for redevelopment, the lease modification letter/conditions of land exchange shall be executed no later than three years from the date of the TPB's approval letter and the proposed redevelopment shall be completed within five years from the date of execution of the lease modification letter/conditions of land exchange;
- (c) to note the comments of the Project Manager (East), Civil Engineering and Development Department that the width of the shared-use pavement for pedestrians and cyclists inside the proposed waterfront promenade. As this path will form part of the "Green Way" network in Kai Tak Development (KTD) for shared-use between pedestrians and cyclists, for which the recommended path width is between 6 to 10m. It is suggested that the Applicant should take into consideration such recommendation as far as possible in the promenade design. Provisions and/or flexibility should be allowed on the design of the shared-use pavement for connection with the adjoining waterfront promenade in future, aiming to provide a seamless shared-path network. The promenade shall be designed and constructed at ground level to match the finished floor level of the adjoining promenade/open space without any level difference. The design of the promenade shall be coherent to the adjoining promenade/open space in terms of design language, soft landscape (e.g. structural trees), lighting ambience, paving, balustrade, street furniture, light fittings, and signage, etc. The promenade shall be designed to maximize visibility from the building frontage to the seaside. For instance, the clear branch height of tree canopies shall be kept to a minimum of 2.5m. The combined effect of shrub planting and earth mounding shall be kept to maximum height of 1m. Not less than 40% of the area of the promenade shall be planted with greening as per the planning intention of promenade at the South Apron Area under Recommended Outline Development Plan (RODP). The promenade shall be universal accessible and pedestrian friendly. For instance, all planters and tree pits shall have a kerb of height not more than 100mm except for turf area which shall be kerb-less to enhance walkability. Sufficient seating with shelters shall be provided. Structural

trees shall be provided to provide shading to the users and cyclists. It is encouraged to incorporate the branding of Kai Tak in the design of the promenade with reference to the Kai Tak Brand Identity Manual and Public Creatives Guidelines. The applicant is suggested to enhance the design of this public passage and the building facade fronting the future Kowloon Bay Square to create synergy;

- (d) to note the comments of the Chief Town Planner/Urban Design and Landscape, Planning Department that more green opportunities, particularly tree planting at the promenade, should be further explored to enhance the landscape quality of the development. Sufficient signage should be provided to indicate the location of and direction to the promenade. More seating facilities facing the waterfront should also be considered for better public enjoyment. The applicant should consider providing planting areas and seating facilities, etc. along the proposed 3m-wide public passage to the promenade to create a more comfortable walking environment and a better interface with the adjacent planned open space; and
- (e) to note the comments of the Chief Building Surveyor/Kowloon, Building Department that the proposal should in all aspects comply with the Buildings Ordinance (BO). According to Regulation 20 and the First Schedule of Building (Planning) Regulation, the Site Coverage of the building for non-domestic use with height exceeding 61m above ground level should not be larger than 60% for Class A site. Under Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (PNAP) No. APP-42, 100% GFA concessions may be granted to non-essential plant rooms subject to the compliance with the pre-requisites and the overall cap on GFA concessions stipulated in PNAP APP-151 on Building Design to Foster a Quality and Sustainable Built Environment. Under PNAP APP-2, 100% GFA concession may be granted for underground private carpark while only 50% GFA concession may be granted for aboveground private carpark, provided that the car parking spaces are electric vehicle (EV) charging-enabling. Detailed comments under BO will be given at the building plan submission stage.