

MPC Paper No. A/K13/317
For Consideration by
the Metro Planning Committee
on 6.3.2020

APPLICATION FOR PERMISSION
UNDER SECTION 16 OF THE TOWN PLANNING ORDINANCE

APPLICATION NO. A/K13/317
(for 1st Deferment)

- Applicant** : Borgia Limited represented by Townland Consultants Limited
- Site** : 20 Kai Cheung Road, Kowloon Bay, Kowloon
- Site Area** : About 9,532 m²
- Lease** : (a) New Kowloon Inland Lot (NKIL) Nos. 5848 and 5849 (the Lots)
(b) Restricted to industrial and/or godown purposes excluding offensive trades subject to a maximum height of 45.5 meters above Principal Datum (mPD)
(c) Maximum height of any structure on the Lot shall not exceed 55.2mPD for the life time of the building
- Plan** : Draft Ngau Tau Kok and Kowloon Bay Outline Zoning Plan (OZP) No. S/K13/29
- Zoning** : “Other Specified Uses” annotated “Business” (“OU(B)”)
- (a) Maximum plot ratio (PR) of 12.0 and maximum building height (BH) of 120mPD, or the PR and height of the existing building, whichever is the greater
- (b) A minimum of 3m wide “non-building area” (“NBA”) from the lot boundary abutting Wang Chiu Road shall be provided within this zone
- (c) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the PR/BH restrictions stated in the Notes of the OZP may be considered by the Town Planning Board (the Board) on application under s.16 of the Town Planning Ordinance (the Ordinance)
- Application** : Proposed Minor Relaxation of PR and BH Restrictions for Permitted Office, Shop and Services and Eating Place Uses

1. Background

On 7.1.2020, the applicant submitted an application for minor relaxation of PR, i.e. from 12.0 to 14.4 (i.e. +2.4 or +20%) and BH restriction (BHR) from 120mPD to 144mPD (i.e. +24m or +20%) for redevelopment of the existing industrial building at the application site (the Site) (Plan A-1) for permitted office, shop and services and eating place uses.

2. **Request for Deferment**

On 21.2.2020, the applicant's representative wrote to the Secretary of the Board and requested the Board to defer making a decision on the application for two months to allow more time to address the departmental comments (**Appendix I**).

3. **Planning Department's Views**

3.1 The Planning Department has no objection to the request for deferment as the justification for deferment meets the criteria for deferment as set out in the Town Planning Board Guidelines on Deferment of Decision on Representations, Comments, Further Representations and Applications made under the Ordinance (TPB PG-No. 33) in that the applicant needs more time to address departmental comments, the deferment period is not indefinite and the deferment would not affect the interest of other relevant parties.

3.2 Should the Committee agree to defer making a decision on the application, the application will be submitted to the Committee for consideration within two months upon receipt of further information from the applicant. If the further information submitted by the applicant is not substantial and can be processed within a shorter time, the application could be submitted to an earlier meeting for the Committee's consideration. The applicant should be advised that the Committee has allowed two months for preparation of submission of further information, and no further deferment would be granted unless under very special circumstances.

4. **Decision Sought**

The Committee is invited to consider whether or not to accede to the applicant's request for deferment. If the request is not acceded to, the application will be submitted to the Committee for consideration at the next meeting.

5. **Attachment**

Appendix I Letter dated 21.2.2020 from the applicant's representative requesting for deferment

Plan A-1 Location plan

**PLANNING DEPARTMENT
MARCH 2020**