No.	OZP Zoning Application	Address (Site Area)	Proposed Uses <sup>[1]</sup>	Proposed Minor Relaxation	Date of Consideration	Typical Floor Height	Major Planning & Design Merits
	No.					(Uses)	
Kwu	n Tong Busines				T		
1.	S/K14S/22 "OU(B)" A/K14/763	350 Kwun Tong Road, Kwun Tong	C/O	PR 12 to 14.4 (+20%)	with conditions on	4m (Office)	<ul> <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 357m² (about 20% of Site Area)</li> </ul>
	BHR: 100mPD	$(1,782m^2)$		BH 100mPD to 125.9mPD (+25.9%)	22.3.2019		<ul> <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  (same site as No. A/K14/771)  BHR: 100mPD	32 Hung To Road, Kwun Tong (911.2m <sup>2</sup> )	C/O	PR 12 to 14.4 (+20%) BH 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> <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	PR 12 to 14.4 (+20%) BH 100mPD to 126mPD (+26%)	Approved with conditions on 16.8.2019	4.025m (Office)	<ul> <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 m² (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>

No.	OZP	Address	Proposed	Proposed	Date of	Typical	Major Planning & Design Merits
	Zoning	(Site Area)	Uses <sup>[1]</sup>	Minor	Consideration	Floor	
	Application			Relaxation		Height	
	No.					(Uses)	
4.	S/K14S/22	32 Hung To	C/O	<u>PR</u>	<u>Approved</u>	3.5m	• Full-height setback/ground floor NBA <sup>[2]</sup> along Hung To Road and the back alley in accordance with ODP
	"OU(B)"	Road,		12 to 14.4	with	(Office)	requirement for improving pedestrian environment
	A/K14/771	Kwun Tong		(+20%)	conditions on		• Greening provision of 197 m <sup>2</sup> (about 22% of Site Area) [Note: greenery requirement under SBDG is not applicable
		$(911.2m^2)$			16.8.2019		to this site of $<1,000$ m <sup>2</sup> ]
	(same site			<u>BH</u>			Incorporation of refuge floor cum communal sky garden
	as No.			100mPD to			Tower deposition to allow building separation at tower with adjoining building to facilitate wind penetration to
	A/K14/764)			119.7mPD			inland area
				(+19.7%)			Compliance with SBDG and incorporation of green building design measures
	BHR:						• Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may not
	100mPD						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	7 Lai Yip Street,	C/O	<u>PR</u>	<u>Approved</u>	4m	Full-height setback along Lai Yip Street and Hang Yip Street in accordance with ODP requirement for improving
	"OU(B)"	Kwun Tong		12 to 14.4	with	(Office)	pedestrian environment
	A/K14/774	$(1,026m^2)$		(+20%)	conditions on		• Greening provision of 222.7m <sup>2</sup> (about 22% of Site Area)
					13.12.2019		Incorporation of refuge floor cum communal sky garden
	BHR:			<u>BH</u>			Weather protection canopy along the frontage facing Lai Yip Street
	100mPD			100mPD to			Compliance with SBDG and incorporation of green building design measures
				125.9mPD			• Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and may still
				(+25.9%)			allow a stepped BH profile
	G/IX 1 4 G/22	122 W : W	C/O	DD.		2.0	
6.	S/K14S/22	132 Wai Yip	C/O	<u>PR</u>	Approved	3.9m	• Full-height setback/ground floor NBA <sup>[2]</sup> along Wai Yip Street and the back alley in accordance with ODP
	"OU(B)"	Street, Kwun		12 to 14.4	with	(Office)	requirement for improving pedestrian environment  Creating providing of 62 m <sup>2</sup> in cluding restrict an arrange (chapt 150/ of Site Arra) [Note: group arrange providing pedestrian and arrange (chapt 150/ of Site Arra)]
	A/K14/775	Tong		(+20%)	conditions on		• Greening provision of 63m <sup>2</sup> including vertical greenery (about 15% of Site Area) [Note: greenery requirement under SDDC is not applicable to this site of <1.000m <sup>2</sup> ]
	DIID.	$(418.06\text{m}^2)$		DII	3.1.2020		SBDG is not applicable to this site of <1,000m <sup>2</sup> ]
	BHR:			<u>BH</u>			• Compliance with SBDG and incorporation of green building design measures
	100mPD			100mPD to			• Proposed minor relaxation of BH generally in proportion to the 20% increase in PR under application; and could be
				120mPD			tolerated
				(+20%)			

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
7.	S/K14S/22 "OU(B)" A/K14/773 BHR: 100mPD	82 Hung To Road, Kwun Tong (929.03m <sup>2</sup> )	I	PR 12 to 14.4 (+20%) BH 100mPD to 119.85mPD (+19.85%)	Approved with conditions on 17.1.2020	4.1m (Workshop)	<ul> <li>Voluntary full-height setback along Hung To Road for improving pedestrian environment</li> <li>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 &lt;1,000m²]</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 (935.99m²)	I	PR 12 to 14.4 (+20%) BH Nil	Approved with conditions on 17.1.2020	4.04m (Workshop)	<ul> <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 270m² (about 29% of Site Area) [Note: greenery requirement under SBDG is not applicable to this site of &lt;1,000m²]</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>
Kowl	oon Bay Busin	ess Area					
9.	S/K13/29 "OU(B)" A/K13/313  BHR: 120mPD	13 Sheung Yuet Road, Kowloon Bay, Kowloon (1,696m²)	O	PR 12 to 14.4 (+20%) BH 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> <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> <li>Greenery coverage of 438m² (about 26% of Site Area) excluding 146m² of greenery area at refuge floor at 16/F</li> <li>Compliance with SBDG</li> </ul>
	Po Kong Busin					<u> </u>	
10.	S/K11/29 "OU(B)" A/K11/233  BHR: 120mPD	1 Tsat Po Street, San Po Kong (1,386m <sup>2</sup> )	I	PR 12 to 14.4 (+20%) BH Nil	Approved with conditions on 12.4.2019	3.325m (Workshop)	<ul> <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 m² (about 20% of Site Area)</li> </ul>

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
11.	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	PR 12 to 14.4 (+20%) BH Nil	Approved with conditions on 13.12.2019	3.603m (Workshop)	•	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  Greening provision of 278 m² (about 35.8% of Site Area) by inclusion of planters, vertical green wall and green roof Incorporation of green building design measures
Hung	Hom							
12.	S/K9/26 "OU(B)" A/K9/274  BHR: 120mPD	13 Hok Yuen Street, Hung Hom (3,698.8m <sup>2</sup> )	C/O	PR 12 to 12.782 (+6.52%) BH Nil	Approved with conditions on 17.5.2019	N/A	•	Proposed corner setback at Hok Yuen Street and 4.5m setbacks from adjacent buildings at east and west for improving the pedestrian environment A 26.8m-wide building gap between the two office towers  Greening provision of 740 m² (including a landscaped garden on 1/F) (about 20% of Site Area)
Yau T	Tsim Mong Are	ea						
13.	S/K3/31 "OU(B)" A/K3/582 BHR: 110mPD	107-111 (Odd Numbers Only) Tung Chau Street, Tai Kok Tsui, Kowloon (386.5m²)	I	PR 12 to 14.4 (+20%) BH Nil	Approved with conditions on 17.3.2020	4.025m (Workshop)	•	Setback above 15m measured from the mean street level along Maple Street in accordance with OZP requirement Full-height setback along Tung Chau Street  Greening ratio of about 33.4% (about 129m²) with greening on G/F (about 11m²) and 3/F (about 48m²) as well as vertical greening (about 70m²)  Incorporation of landscaped area at the setback on G/F  Incorporation of a sky garden with edge planters on 3/F  Provision of vertical greening features on the podium façade along Tung Chau Street  Compliance with SBDG and incorporation of green building design measures
Cheu	ng Sha Wan							
14.	S/K5/37 "OU(B)" A/K5/813 BHR:	822 Lai Chi Kok Road, Cheung Sha Wan (1318.3m <sup>2</sup> )	C/O	PR 12 to 14.4 (+20%)	Approved with conditions on 6.3.2020	4.375m (Office)	•	Full-height setbacks along Lai Chi Kok Road and Cheung Lai Street in accordance with ODP requirement for street widening and streetscape improvement  Voluntary setback at G/F and 1/F along Cheung Yee Street to provide shading and to enhance pedestrian connectivity and comfort  Incorporation of refuge floor cum communal sky garden
	120mPD			120mPD to 125.7mPD (+4.75%)			•	Incorporation of flat roofs/recessed terraces with greenery  Greenery coverage of 263.891m <sup>2</sup> (about 20% of Site Area) with an additional 50m2 vertical greening  Compliance with SBDG and incorporation of green building design measures

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				
Kwai	wai Chung Area										
15.	S/KC/29 "OU(B)" A/KC/460 BHR: 130mPD	57 – 61 Ta Chuen Ping Street, Kwai Chung (2,261m²)	I-O	PR 9.5 to 11.4 (+20%) BH Nil	Approved with conditions on 5.7.2019	N/A	<ul> <li>Full-height setback along Ta Chuen Ping Street wider than OZP requirement for long-term road widening and improving air ventilation</li> </ul>				
16.	S/KC/29 "OU(B)" A/KC/464  BHR: 105mPD	20-24 Kwai Wing Road, Kwai Chung (1,579m²)	I	PR 9.5 to 11.4 (+20%) BH Nil	Approved with conditions on 29.11.2019	4.2m (Workshop)	<ul> <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 316m² (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>				
17.	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 Area: 1,324.3m² Net Site Area <sup>[3]</sup> : 1,181.727 m²)	I	PR 9.5 to 11.4 (+20%) BH Nil	Approved with conditions on 17.3.2020	4.20m (Workshop)	<ul> <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% (335m²)</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>				
Tsue	n Wan										
18.	S/TW/33 "Industrial" A/TW/505  BHR: 100mPD	14-18 Ma Kok Street, Tsuen Wan (1,858.1m <sup>2</sup> )	I	PR 9.5 to 11.4 (+20%) BH Nil	Approved with conditions on 1.11.2019	3.5m (Workshop)	<ul> <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 m² (about 20% of Site Area)</li> <li>Compliance with SBDG and incorporation of green building design measures</li> </ul>				

No.	OZP	Address	Proposed	Proposed	Date of	Typical	Major Planning & Design Merits
	Zoning	(Site Area)	Uses <sup>[1]</sup>	Minor	Consideration	Floor	
	Application			Relaxation		Height	
	No.					(Uses)	
19.	S/TW/33	8-14 Sha Tsui	I	<u>PR</u>	<b>Approved</b>	4.95m	Full-height setback along Sha Tsui Road, Pun Shan Street and back alley
	"Industrial"	Road, Tsuen		9.5 to 11.4	with	(Workshop)	Building setback above 1/F
	A/TW/509	Wan		(+20%)	conditions on		Landscape and seating provided in setback area along Sha Tsui Road and Pun Shan Street
		$(4,645.16\text{m}^2)$			13.12.2019		Substantial vertical greenery in front facade and total greenery coverage of not less than 20%
	BHR:			<u>BH</u>			Compliance with SBDG and incorporation of green building design measures
	100mPD			Nil			
20.	S/TW/33	18-20 Pun	I	<u>PR</u>	<b>Approved</b>	3.85m	Full-height setback along Pun Shan Street in accordance with ODP requirement for improving pedestrian
	"OU(B)"	Shan Street,		9.5 to 11.4	with	(Workshop)	environment
	A/TW/508	Tsuen Wan		(+20%)	conditions on		Setback from G/F to 3/F along the service lane at the west of the application site
		$(2,322.557m^2)$			17.1.2020		● Landscape area provided at 1/F, 2/F and roof floor
	BHR:			<u>BH</u>			Greenery provided at entrance foyer and run-in/out, and total greenery coverage of not less than 20%
	100mPD			Nil			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.
- [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 Toppy 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.

### **Other Technical Comments from Government Departments**

Comments of the Chief Estate Surveyor/Land Supply and the Chief Estate Surveyor/Special Duties, Lands Department:

- (a) Technical assessments in support of the application on other aspects such as traffic, building design, pedestrian link and setback arrangement etc. should be considered by the relevant departments.
- (b) Regarding the setback requirements along the site boundary as specified on the Outline Development Plan, if it is the government intention to require the Lot owners to surrender the setback areas after the completion of proposed redevelopment, the concerned departments' (e.g. Transport Department and Highways Department etc.) confirmation that they will take up the surrendered areas for management and/or maintenance should be available first and the arrangement shall be further deliberated during the lease modification/land exchange process stage in which comments from relevant departments would be sought.

# Comments of the Chief Building Surveyor/Kowloon, Buildings Department:

- (a) Under Practice Notes for Authorized Persons, Registered Structural Engineers and Registered Geotechnical Engineers (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 charging-enabling.
- (b) No part of the building, up to a level of 15m above the street level, shall be within 7.5m from the centreline of the street. PNAP APP-151 and APP-152 refers.
- (c) Under APP-2 and APP-122, 100% GFA concessions may be granted to sky garden cum refuge floor.
- (d) Under 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.
- (e) Natural lighting and ventilation to rooms for office should be provided in accordance with Building (Planning) Regulation (B(P)R) sections 30 and 31.
- (f) Adequate emergency vehicular access should be provided in accordance with B(P)R 41D and the Code of Practice for Fire Safety in Buildings 2011 (FS Code).
- (g) Adequate means of escape should be provided to the premises in accordance with B(P)R 41(I) and FS Code.
- (h) The subject premises should be separated from different use of adequate fire resistance rating pursuant to Building (Construction) Regulation 90 and the FS Code.
- (i) Access and facilities for persons with a disability should be provided to the premises in accordance with B(P)R 72 and Design Manual: Barrier Free Access 2008.
- (j) Adequate sanitary fitments should be provided to the premises in accordance with the Building (Standards of Sanitary Fitments, Plumbing, Drainage Works and Latrines) Regulations.

## Comments of Commissioner for Transport

- (k) It is noted the width of the run-in and run-out at the back alley and Chong Yip Street respectively is for one-way traffic only. Please note the width of the run-in/out should normally be 6m. Please revise the widths accordingly.
- (l) In SK-020\_SP3, the swept path analysis for LGV(1) demonstrates difficulty in manoeuvring. Please review the feasibility of the location of the loading/ unloading space.
- (m) Please advise the location of the dropped gates at the entrance and exit on G/F, if any. Please be reminded that vehicular queue entering the car park should not tail back to the public road

## Comments of Chief Highway Engineer/Kowloon, Highways Department (CHE/K, HyD)

- (n) Headroom for canopy over public footway shall not be less than 3500mm and the projection on footway shall give a minimum set back of 600mm from kerbline on submission plans.
- (o) Any canopy shall be provided with adequate surface water drainage in order to avoid nuisance to the public.
- (p) The applicant is required to maintain the canopy including lighting at the cost of the lot owner.
- (q) The applicant shall at his own expense and to the satisfaction of CHE/K, HyD remove the canopy when this is necessitated by any road widening / realignment, improvement and maintenance works or any works related to public utilities and he shall not be entitled to any claim and compensation from the Government.
- (r) The applicant should revise the Ground Floor landscape plan in Appendix 3 of FI No. 3 to be consistent with G/F plan.

### 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 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 Chief Estate Surveyor/Land Supply, Lands Department (LandsD) on the need to apply to LandsD for a lease modification/land exchange to implement the proposed development. Such application will be considered by LandsD acting in its capacity as a landlord at its sole discretion and there is no guarantee that the application will be approved by LandsD. In the event that the lease modification application is approved, it would be subject to such terms and conditions as the Government shall deem appropriate, including, among others, the payment of premium and administrative fee as may be imposed by LandsD at its sole discretion. Unless there is justifiable reason, the registered area of the Lots (i.e. 1,276.3m²) would be adopted in processing similar lease modification/land exchange applications; and
- (c) to note the comments of the Chief Building Surveyor/Kowloon, Buildings Department at paragraph 9 of the MPC Paper no. A/K14/777B and its **Appendix III**.