

KOWLOON PLANNING AREA NO. 3

DRAFT MONG KOK OUTLINE ZONING PLAN NO. S/K3/37

Amendments

Notes

Schedule of Uses

Explanatory Statement

**SCHEDULE OF AMENDMENTS TO
THE APPROVED MONG KOK OUTLINE ZONING PLAN NO. S/K3/36
MADE BY THE TOWN PLANNING BOARD
UNDER THE TOWN PLANNING ORDINANCE (Chapter 131)**

I. Amendments to Matters shown on the Plan

- Item A – Rezoning of a site at 56 Fuk Tsun Street from “Comprehensive Development Area (1)” to “Residential (Group A)” (“R(A)”) and relaxation of the maximum building height restriction (BHR) from 80 metres above Principal Datum (mPD) to 115mPD.
- Item B1 – Rezoning of a site at Mong Kok Road Playground from “Government, Institution or Community” (“G/IC”) to “Open Space”.
- Item B2 – Rezoning of a strip of land to the immediate north of Mong Kok Road Playground from “G/IC” to “R(A)” with stipulation of BHR of 115mPD and 20mPD.
- Item B3 – Removal of BHR for the “G/IC” zones occupied by the refuse collection point cum public toilet fronting Mong Kok Road and the electricity sub-station fronting Canton Road.

II. Amendments to the Notes of the Plan

- (a) Deletion of the set of Notes for the “Comprehensive Development Area” zone.
- (b) Revision to the Remarks of “R(A)” and “Residential (Group E)” zones for specifying the maximum domestic plot ratio (PR) of 8.5 for a building that is partly domestic and partly non-domestic.
- (c) Revision to the Remarks of “Other Specified Uses” annotated “Mixed Use” zone for specifying the maximum PR of 9.0 for a non-domestic building.

Town Planning Board

22 March 2024

KOWLOON PLANNING AREA NO. 3

DRAFT MONG KOK OUTLINE ZONING PLAN NO. S/K3/37

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

NOTES

(N.B. These form part of the Plan)

- (1) These Notes show the uses or developments on land falling within the boundaries of the Plan which are always permitted and which may be permitted by the Town Planning Board, with or without conditions, on application. Where permission from the Town Planning Board for a use or development is required, the application for such permission should be made in a prescribed form. The application shall be addressed to the Secretary of the Town Planning Board, from whom the prescribed application form may be obtained.
- (2) Any use or development which is always permitted or may be permitted in accordance with these Notes must also conform to any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, as may be applicable.
- (3)
 - (a) No action is required to make the existing use of any land or building conform to this Plan until there is a material change of use or the building is redeveloped.
 - (b) Any material change of use or any other development (except minor alteration and/or modification to the development of the land or building in respect of the existing use which is always permitted) or redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Town Planning Board.
 - (c) For the purposes of subparagraph (a) above, “existing use of any land or building” means -
 - (i) before the publication in the Gazette of the notice of the first statutory plan covering the land or building (hereafter referred as ‘the first plan’),
 - a use in existence before the publication of the first plan which has continued since it came into existence; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building; and
 - (ii) after the publication of the first plan,

- a use permitted under a plan which was effected during the effective period of that plan and has continued since it was effected; or
 - a use or a change of use approved under the Buildings Ordinance which relates to an existing building and permitted under a plan prevailing at the time when the use or change of use was approved.
- (4) Except as otherwise specified by the Town Planning Board, when a use or material change of use is effected or a development or redevelopment is undertaken, as always permitted in terms of the Plan or in accordance with a permission granted by the Town Planning Board, all permissions granted by the Town Planning Board in respect of the site of the use or material change of use or development or redevelopment shall lapse.
- (5) Road junctions, alignments of roads and railway tracks, and boundaries between zones may be subject to minor adjustments as detailed planning proceeds.
- (6) Temporary uses (expected to be 5 years or less) of any land or building are always permitted as long as they comply with any other relevant legislation, the conditions of the Government lease concerned, and any other Government requirements, and there is no need for these to conform to the zoned use or these Notes. For temporary uses expected to be over 5 years, the uses must conform to the zoned use or these Notes.
- (7) The following uses or developments are always permitted on land falling within the boundaries of the Plan except where the uses or developments are specified in Column 2 of the Notes of individual zones:
- (a) provision, maintenance or repair of plant nursery, amenity planting, open space, rain shelter, refreshment kiosk, road, bus/public light bus stop or lay-by, cycle track, Mass Transit Railway station entrance, Mass Transit Railway structure below ground level, taxi rank, nullah, public utility pipeline, electricity mast, lamp pole, telephone booth, telecommunications radio base station, automatic teller machine and shrine;
 - (b) geotechnical works, local public works, road works, sewerage works, drainage works, environmental improvement works, marine related facilities, waterworks (excluding works on service reservoir) and such other public works co-ordinated or implemented by Government; and
 - (c) maintenance or repair of watercourse and grave.
- (8) In any area shown as 'Road', all uses or developments except those specified in paragraph (7) above and those specified below require permission from the Town Planning Board:
- toll plaza, on-street vehicle park and railway track.

- (9) Unless otherwise specified, all building, engineering and other operations incidental to and all uses directly related and ancillary to the permitted uses and developments within the same zone are always permitted and no separate permission is required.
- (10) In these Notes, “existing building” means a building, including a structure, which is physically existing and is in compliance with any relevant legislation and the conditions of the Government lease concerned.

KOWLOON PLANNING AREA NO. 3

DRAFT MONG KOK OUTLINE ZONING PLAN NO. S/K3/37

Schedule of Uses

	<u>Page</u>
COMMERCIAL	1
RESIDENTIAL (GROUP A)	4
RESIDENTIAL (GROUP E)	8
GOVERNMENT, INSTITUTION OR COMMUNITY	13
OPEN SPACE	15
OTHER SPECIFIED USES	16

COMMERCIAL

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Eating Place Educational Institution Exhibition or Convention Hall Government Use (not elsewhere specified) Hotel Information Technology and Telecommunications Industries Institutional Use (not elsewhere specified) Library Off-course Betting Centre Office Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution School Shop and Services Social Welfare Facility Training Centre Utility Installation for Private Project Wholesale Trade	Broadcasting, Television and/or Film Studio Commercial Bathhouse/Massage Establishment Flat Government Refuse Collection Point Hospital Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Petrol Filling Station Residential Institution

Planning Intention

This zone is intended primarily for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as district and local shopping centres.

(Please see next page)

COMMERCIAL (Cont'd)

Remarks

- (1) On land designated “Commercial (1)” (“C(1)”), no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 12.0, or the plot ratio of the existing building, whichever is the greater.
- (2) On land designated “C(1)”, a total of not less than 480 public car/lorry parking spaces shall be provided, out of which not less than 120 parking spaces shall be for lorry parking purposes. For the purposes of plot ratio calculation, any floor space that is constructed or intended for use solely as public car/lorry parking spaces shall be included for calculation.
- (3) On land designated “Commercial (2)” (“C(2)”), no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum total gross floor area (GFA) of 169,055m², of which not less than 6,547m² shall be provided for Government, institution or community (GIC) facilities. A public open space of not less than 1,100m² shall also be provided.
- (4) On land designated “Commercial (3)” (“C(3)”), no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 9.0. A community health centre of not less than 4,500m² GFA shall be provided.
- (5) On land designated “Commercial (4)” (“C(4)”), no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum GFA of 141,600m² and a maximum building height of 320 metres above Principal Datum (mPD) (including roof-top structures) and 40mPD (including roof-top structures) for sub-area (a) and sub-area (c) respectively as stipulated on the Plan. For sub-area (b), a building gap on which the maximum building height is 23mPD shall be provided. A total GFA of not less than 4,940m² shall be provided for GIC facilities including a community hall and social welfare facilities. A public transport interchange, loading/unloading facilities for cross-boundary coaches and not less than 130 public car parking spaces shall be provided. Public open space of not less than 6,550m², of which not less than 3,200m² is at-grade close to the junction of Argyle Street and Sai Yee Street, shall be provided.
- (6) On land designated “C(4)”, for any new development or redevelopment of an existing building, a layout plan shall be submitted for the approval of the Town Planning Board. The layout plan should include the following information:
 - (i) the area of the proposed land uses, the nature, position, dimensions, and heights of all buildings (including structures) to be erected on the site;
 - (ii) the proposed total GFA for various uses and facilities;
 - (iii) the details and extent of GIC facilities, parking, loading/unloading and public transport facilities, and open space to be provided within the site;

(Please see next page)

COMMERCIAL (Cont'd)

Remarks (Cont'd)

- (iv) the alignment, widths and levels of any footbridges, elevated walkways and roads proposed to be constructed within the site;
 - (v) the landscape and urban design proposals within the site;
 - (vi) programmes of development in detail; and
 - (vii) such other information as may be required by the Town Planning Board.
- (7) On land designated “C”, “C(1)”, “C(2)” and “C(3)”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of mPD as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (8) A minimum setback of 3m from the lot boundary above 15m measured from mean street level abutting Portland Street and Sai Yeung Choi Street South shall be provided.
- (9) In determining the relevant maximum plot ratio/GFA for the purposes of paragraphs (1) to (5) above, any floor space that is constructed or intended for use solely as car park, loading/ unloading bay, plant room and caretaker’s office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (10) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio/GFA for the building on land to which paragraphs (1), (3), (4) or (5) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio/GFA specified in paragraphs (1), (3), (4) and (5) above may thereby be exceeded.
- (11) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/GFA/building height restrictions and the provision of public car/ lorry parking spaces as stated in paragraphs (1) to (5) and (7) above, and any reduction in total GFA provided for GIC facilities as stated in paragraphs (3) to (5) above, may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (12) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the setback requirements stated in paragraph (8) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP A)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Flat Government Use (not elsewhere specified) House Library Market Place of Recreation, Sports or Culture Public Clinic Public Transport Terminus or Station (excluding open-air terminus or station) Residential Institution School (in free-standing purpose-designed building only) Social Welfare Facility Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Government Refuse Collection Point Hospital Hotel Institutional Use (not elsewhere specified) Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Office Petrol Filling Station Place of Entertainment Private Club Public Convenience Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution School (not elsewhere specified) Shop and Services (not elsewhere specified) Training Centre

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:

Eating Place
Educational Institution
Institutional Use (not elsewhere specified)
Off-course Betting Centre
Office
Place of Entertainment
Private Club
Public Convenience
Recyclable Collection Centre
School
Shop and Services
Training Centre

Planning Intention

This zone is intended primarily for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

Remarks

- (1) On land designated “Residential (Group A)” (“R(A)”) and “Residential (Group A)3” (“R(A)3”), no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in the plot ratio for the building upon development and/or redevelopment in excess of 8.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic of which the domestic part of the building should not exceed 8.5, or the plot ratio of the existing building, whichever is the greater.
- (2) For a non-domestic building to be erected on land designated “R(A)” and “R(A)3”, the maximum plot ratio shall not exceed 9.0 except where the plot ratio is permitted to be exceeded under paragraphs (12) and/or (13) hereof.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (3) For the purposes of paragraph (1) above, on land designated “R(A)” and “R(A)3”, no addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the relevant maximum domestic and/or non-domestic plot ratio(s), or the domestic and/or non-domestic plot ratio(s) of the existing building, whichever is the greater, subject to, as applicable-
- (i) the plot ratio(s) of the existing building shall apply only if any addition, alteration and/or modification to or redevelopment of an existing building is for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building; or
 - (ii) the maximum domestic and/or non-domestic plot ratio(s) stated in paragraph (1) above shall apply if any addition, alteration and/or modification to or redevelopment of an existing building is not for the same type of building as the existing building, i.e. domestic, non-domestic, or partly domestic and partly non-domestic building.
- (4) On land designated “Residential (Group A)1”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic gross floor area (GFA) of 159,278m² and a maximum non-domestic GFA of 31,856m², of which a public vehicle park and a kindergarten shall be provided. A public open space of not less than 9,854m² shall be provided.
- (5) On land designated “Residential (Group A)2”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic GFA of 36,466m² and a maximum non-domestic GFA of 6,765m², of which not less than 1,850m² shall be provided for a residential care home for the elderly.
- (6) On land designated “R(A)3”, a GFA of not less than 937m² shall be provided for Government, institution or community (GIC) facilities.
- (7) On land designated “Residential (Group A)4”, no new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum domestic GFA of 16,705m² and non-domestic GFA of 8,062m², of which not less than 3,337m² for indoor stadium and not less than 2,282m² for youth centre shall be provided.

(Please see next page)

RESIDENTIAL (GROUP A) (Cont'd)

Remarks (Cont'd)

- (8) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of metres above Principal Datum (mPD) as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (9) A minimum setback of 3m from the lot boundary above 15m measured from mean street level abutting Portland Street and Sai Yeung Choi Street South shall be provided.
- (10) In determining the relevant maximum plot ratio for the purposes of paragraphs (1) and (2) above, area of any part of the site that is occupied or intended to be occupied by free-standing purpose-designed buildings (including both developed on ground and on podium level) solely for accommodating GIC facilities including school(s) as may be required by Government shall be deducted in calculating the relevant site area.
- (11) In determining the relevant maximum plot ratio or GFA for the purposes of paragraphs (1), (2), (4) (5) and (7) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such use and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (12) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio or GFA for the building on land to which paragraph (1), (2), (4), (5) or (7) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio or GFA specified in paragraphs (1), (2), (4), (5) and (7) above may thereby be exceeded.
- (13) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/GFA/building height restrictions as stated in paragraphs (1), (2) and (4) to (8) above, and any reduction in the provision of GIC facilities as stated in paragraphs (4) to (7) above, may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (14) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the setback requirements stated in paragraph (9) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

RESIDENTIAL (GROUP E)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
-----------------------------------	---

Schedule I: for open-air development or
for building other than industrial or industrial-office building[@]

Ambulance Depot Government Use (not elsewhere specified) Public Transport Terminus or Station (excluding open-air terminus or station) Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Flat Government Refuse Collection Point Hospital Hotel House Institutional Use (not elsewhere specified) Library Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Office Petrol Filling Station Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Residential Institution School Shop and Services Social Welfare Facility Training Centre
---	---

(Please see next page)

RESIDENTIAL (GROUP E) (Cont'd)

In addition, the following uses are always permitted (a) on the lowest three floors of a building, taken to include basements; or (b) in the purpose-designed non-residential portion of an existing building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:

Eating Place
Educational Institution
Institutional Use (not elsewhere specified)
Library
Off-course Betting Centre
Office
Place of Entertainment
Place of Recreation, Sports or Culture
Private Club
Public Clinic
Public Convenience
Recyclable Collection Centre
School
Shop and Services
Social Welfare Facility
Training Centre

(Please see next page)

RESIDENTIAL (GROUP E) (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Schedule II: for existing industrial or industrial-office building [@]	
Ambulance Depot	Cargo Handling and Forwarding Facility (Container Freight Station, free-standing purpose-designed Logistics Centre only)
Art Studio (excluding those involving direct provision of services or goods)	Industrial Use (not elsewhere specified)
Cargo Handling and Forwarding Facility (not elsewhere specified)	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
Eating Place (Canteen only)	Off-course Betting Centre
Government Refuse Collection Point	Office (not elsewhere specified)
Government Use (not elsewhere specified)	Petrol Filling Station
Information Technology and Telecommunications Industries	Place of Recreation, Sports or Culture (not elsewhere specified)
Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods ^Δ)	Private Club
Office (Audio-visual Recording Studio, Design and Media Production, Office Related to Industrial Use only)	Shop and Services (not elsewhere specified) (ground floor only except Ancillary Showroom [#] which may be permitted on any floor)
Public Convenience	Vehicle Repair Workshop
Public Transport Terminus or Station	Wholesale Trade
Public Utility Installation	
Public Vehicle Park (excluding container vehicle)	
Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation	
Recyclable Collection Centre	
Research, Design and Development Centre	
Shop and Services (Motor Vehicle Showroom on ground floor, Service Trades only)	
Utility Installation for Private Project	
Warehouse (excluding Dangerous Goods Godown)	

(Please see next page)

RESIDENTIAL (GROUP E) (Cont'd)

In addition, the following uses are always permitted in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the uses are separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

In addition, the following use may be permitted with or without conditions on application to the Town Planning Board in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the use is separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

- Commercial Bathhouse/Massage Establishment
- Eating Place
- Educational Institution
- Exhibition or Convention Hall
- Institutional Use (not elsewhere specified)
- Library
- Off-course Betting Centre
- Office
- Place of Entertainment
- Place of Recreation, Sports or Culture
- Private Club
- Public Clinic
- Religious Institution
- School (excluding kindergarten)
- Shop and Services
- Training Centre

Social Welfare Facility (excluding those involving residential care)

- @ An industrial or industrial-office building means a building which is constructed for or intended to be used by industrial or industrial-office purpose respectively as approved by the Building Authority.
- Δ Dangerous Goods refer to substances classified as Dangerous Goods and requiring a licence for their use/storage under the Dangerous Goods Ordinance (Cap. 295).
- # Ancillary Showroom requiring planning permission refers to showroom use of greater than 20% of the total usable floor area of an industrial firm in the same premises or building.

Planning Intention

This zone is intended primarily for phasing out of existing industrial uses through redevelopment (or conversion) for residential use on application to the Town Planning Board. Whilst existing industrial uses will be tolerated, new industrial developments are not permitted in order to avoid perpetuation of industrial/residential interface problem.

(Please see next page)

RESIDENTIAL (GROUP E) (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in the plot ratio for the building upon development and/or redevelopment in excess of 8.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic of which the domestic part of the building should not exceed 8.5, or the plot ratio of the existing non-industrial building, whichever is the greater.
- (2) For a non-domestic building to be erected on land designated "R(E)", the maximum plot ratio shall not exceed 9.0 except where the plot ratio is permitted to be exceeded under paragraphs (6) and/or (7) hereof.
- (3) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of metres above Principal Datum (mPD) as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (4) In determining the relevant maximum plot ratio for the purposes of paragraphs (1) and (2) above, area of any part of the site that is occupied or intended to be occupied by free-standing purpose-designed buildings (including both developed on ground and on podium level) solely for accommodating Government, institution or community facilities including school(s) as may be required by Government shall be deducted in calculating the relevant site area.
- (5) In determining the relevant maximum plot ratio for the purposes of paragraphs (1) and (2) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such use and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (6) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) or (2) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraphs (1) and (2) above may thereby be exceeded.
- (7) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height restrictions as stated in paragraphs (1) to (3) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (8) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the non-building area restrictions as shown on the Plan may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

GOVERNMENT, INSTITUTION OR COMMUNITY

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Ambulance Depot Animal Quarantine Centre (in Government building only) Broadcasting, Television and/or Film Studio Eating Place (Canteen, Cooked Food Centre only) Educational Institution Exhibition or Convention Hall Field Study/Education/Visitor Centre Government Refuse Collection Point Government Use (not elsewhere specified) Hospital Institutional Use (not elsewhere specified) Library Market Place of Recreation, Sports or Culture Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Recyclable Collection Centre Religious Institution Research, Design and Development Centre School Service Reservoir Social Welfare Facility Training Centre Wholesale Trade	Animal Boarding Establishment Animal Quarantine Centre (not elsewhere specified) Correctional Institution Driving School Eating Place (not elsewhere specified) Flat Funeral Facility Holiday Camp Hotel House Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Off-course Betting Centre Office Petrol Filling Station Place of Entertainment Private Club Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Refuse Disposal Installation (Refuse Transfer Station only) Residential Institution Sewage Treatment/Screening Plant Shop and Services (not elsewhere specified) Utility Installation for Private Project

Planning Intention

This zone is intended primarily for the provision of Government, institution or community facilities serving the needs of the local residents and/or a wider district, region or the territory. It is also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments.

(Please see next page)

GOVERNMENT, INSTITUTION OR COMMUNITY (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of number of storeys or metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storeys for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) A minimum setback of 3m from the lot boundary above 15m measured from mean street level abutting Portland Street and Sai Yeung Choi Street South shall be provided.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (5) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the setback requirements stated in paragraph (3) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

OPEN SPACE

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
Aviary Field Study/Education/Visitor Centre Park and Garden Pavilion Pedestrian Area Picnic Area Playground/Playing Field Public Convenience Sitting Out Area	Eating Place Government Refuse Collection Point Government Use (not elsewhere specified) Holiday Camp Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution Service Reservoir Shop and Services Utility Installation for Private Project

Planning Intention

This zone is intended primarily for the provision of outdoor open-air space for active and/or passive recreational uses serving the needs of local residents as well as the general public.

OTHER SPECIFIED USES

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
-----------------------------------	---

For “Railway Station Development” Only

Ambulance Depot	Broadcasting, Television and/or Film Studio
Commercial Bathhouse/Massage Establishment	Flat
Eating Place	Government Refuse Collection Point
Exhibition or Convention Hall	Mass Transit Railway Vent Shaft and/or Other
Government Use (not elsewhere specified)	Structure above Ground Level other than
Hotel	Entrances
Library	Petrol Filling Station
Off-course Betting Centre	Place of Recreation, Sports or Culture
Office	Religious Institution
Place of Entertainment	
Private Club	
Public Clinic	
Public Convenience	
Public Transport Terminus or Station	
Public Utility Installation	
Public Vehicle Park (excluding container vehicle)	
School	
Shop and Services	
Utility Installation for Private Project	

Planning Intention

This zone is primarily to provide land intended for the development of the Mass Transit Railway Mong Kok East Station which includes a commercial/office/hotel development within the site.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
-----------------------------------	---

For "Funeral Parlour" Only

Funeral Facility

Government Use
 Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
 Utility Installation not Ancillary to the Specified Use

Planning Intention

This zone is intended primarily to provide land for the development of a funeral parlour. Developments in this zone are subject to plot ratio and building height control to contain the existing development bulk and to minimize its visual impact to the surrounding sensitive receivers.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a development or redevelopment in excess of a maximum plot ratio of 3.7 and a maximum building height of 23 metres above Principal Datum, or the plot ratio and building height of the existing building, whichever is the greater.
- (2) In determining the maximum plot ratio for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (3) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraph (1) above may thereby be exceeded.
- (4) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<u>For "Business" Only</u>	
Schedule I : for open-air development or for building other than industrial or industrial-office building [@]	
<p>Ambulance Depot Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Government Use (Police Reporting Centre, Post Office only) Information Technology and Telecommunications Industries Institutional Use (not elsewhere specified) Library Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods[△]) Off-course Betting Centre Office Place of Entertainment Place of Recreation, Sports or Culture Private Club Public Clinic Public Convenience Public Transport Terminus or Station Public Utility Installation Public Vehicle Park (excluding container vehicle) Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation Recyclable Collection Centre Religious Institution Research, Design and Development Centre School (excluding free-standing purpose-designed building and kindergarten) Shop and Services Training Centre Utility Installation for Private Project</p>	<p>Broadcasting, Television and/or Film Studio Cargo Handling and Forwarding Facility Government Refuse Collection Point Government Use (not elsewhere specified) Hotel Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Non-polluting Industrial Use (not elsewhere specified) Petrol Filling Station School (not elsewhere specified) Social Welfare Facility (excluding those involving residential care) Warehouse (excluding Dangerous Goods Godown) Wholesale Trade</p>

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<u>For "Business" Only (Cont'd)</u>	
Schedule II: for industrial or industrial-office building [@]	
Ambulance Depot	Broadcasting, Television and/or Film Studio
Art Studio (excluding those involving direct provision of services or goods)	Cargo Handling and Forwarding Facility (Container Freight Station, free-standing purpose-designed Logistics Centre only)
Cargo Handling and Forwarding Facility (not elsewhere specified)	Industrial Use (not elsewhere specified)
Eating Place (Canteen only)	Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
Government Refuse Collection Point	Off-course Betting Centre
Government Use (not elsewhere specified)	Office (not elsewhere specified)
Information Technology and Telecommunications Industries	Petrol Filling Station
Non-polluting Industrial Use (excluding industrial undertakings involving the use/storage of Dangerous Goods [△])	Place of Recreation, Sports or Culture (not elsewhere specified)
Office (excluding those involving direct provision of customer services or goods)	Private Club
Public Convenience	Shop and Services (not elsewhere specified) (ground floor only except Ancillary Showroom [#] which may be permitted on any floor)
Public Transport Terminus or Station	Vehicle Repair Workshop
Public Utility Installation	Wholesale Trade
Public Vehicle Park (excluding container vehicle)	
Radar, Telecommunications Electronic Microwave Repeater, Television and/or Radio Transmitter Installation	
Recyclable Collection Centre	
Research, Design and Development Centre	
Shop and Services (Motor Vehicle Showroom on ground floor, Service Trades only)	
Utility Installation for Private Project	
Warehouse (excluding Dangerous Goods Godown)	

In addition, for building without industrial undertakings involving offensive trades or the use/storage of Dangerous Goods[△], the following use is always permitted :

Office

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Business" Only (Cont'd)

In addition, the following uses are always permitted in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building, provided that the uses are separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

In addition, the following use may be permitted with or without conditions on application to the Town Planning Board in the purpose-designed non-industrial portion on the lower floors (except basements and floors containing wholly or mainly car parking, loading/unloading bays and/or plant room) of an existing building provided that the use is separated from the industrial uses located above by a buffer floor or floors and no industrial uses are located within the non-industrial portion:

- Commercial Bathhouse/Massage Establishment
- Eating Place
- Educational Institution
- Exhibition or Convention Hall
- Institutional Use (not elsewhere specified)
- Library
- Off-course Betting Centre
- Office
- Place of Entertainment
- Place of Recreation, Sports or Culture
- Private Club
- Public Clinic
- Religious Institution
- School (excluding kindergarten)
- Shop and Services
- Training Centre

Social Welfare Facility (excluding those involving Residential care)

- @ An industrial or industrial-office building means a building which is constructed for or intended to be used by industrial or industrial-office purpose respectively as approved by the Building Authority.
- Δ Dangerous Goods refer to substances classified as Dangerous Goods and requiring a licence for their use/storage under the Dangerous Goods Ordinance (Cap. 295).
- # Ancillary Showroom requiring planning permission refers to showroom use of greater than 20% of the total usable floor area of an industrial firm in the same premises or building.

Planning Intention

This zone is intended primarily for general business uses. A mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new "business" buildings. Less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or industrial-office buildings.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Business" Only (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in the plot ratio for the building upon development or redevelopment in excess of 12.0, or the plot ratio of the existing building, whichever is the greater.
- (2) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of metres above Principal Datum (mPD) as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) A minimum setback of 3m from the lot boundary above 15m measured from mean street level abutting Maple Street shall be provided.
- (4) In determining the maximum plot ratio for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (5) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraph (1) above may thereby be exceeded.
- (6) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height restrictions stated in paragraphs (1) and (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (7) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the setback requirements stated in paragraph (3) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<u>For "Historic Buildings Preserved for Commercial and/or Cultural Uses" Only</u>	
Eating Place Education/Visitor Centre Government Use Institutional Use (not elsewhere specified) Place of Entertainment Place of Recreation, Sports or Culture Public Utility Installation School Shop and Services Social Welfare Facility Training Centre Utility Installation for Private Project	Flat Hotel Office Religious Institution

Planning Intention

The zone is intended for the preservation and adaptive re-use of the existing building(s) for commercial and/or cultural uses to serve the needs of the public.

Remarks

- (1) Any new development, or addition, alteration and/or modification to (except those minor alteration and/or modification works which are ancillary and directly related to the always permitted uses) or redevelopment of the existing buildings requires permission from the Town Planning Board.
- (2) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development in excess of the maximum building heights in terms of number of storeys as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) In determining the relevant maximum number of storeys for the purposes of paragraph (2) above, any basement floor(s) may be disregarded.
- (4) Based on the individual merits of a development proposal, minor relaxation of the building height restrictions stated in paragraph (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
-----------------------------------	---

For "Historical Site Preserved for Commercial and Cultural Uses" Only

Eating Place Educational Institution Exhibition or Convention Hall Field Study/Education/Visitor Centre Government Use Institutional Use (not elsewhere specified) Library Place of Recreation, Sports or Culture School Shop and Services Training Centre	Religious Institution Social Welfare Facility
--	--

Planning Intention

The planning intention of this zone is to preserve, restore and convert the Lui Seng Chun building into a local heritage attraction with the provision of cultural and commercial facilities for the enjoyment of the public.

Remarks

- (1) Any addition, alteration and/or modification to the existing Lui Seng Chun building requires planning permission from the Town Planning Board.
- (2) No addition, alteration and/or modification to an existing building shall result in a total development in excess of the maximum building heights in terms of number of storeys as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (3) In determining the relevant maximum number of storeys for the purposes of paragraph (2) above, any basement floor(s) may be disregarded.
- (4) Based on the individual merits of a development proposal, minor relaxation of the building height restrictions stated in paragraph (2) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
-----------------------------------	---

For "Hotel" Only

Hotel

- Commercial Bathhouse/Massage Establishment
- Eating Place
- Educational Institution
- Exhibition or Convention Hall
- Flat
- Government Use
- Institutional Use
- Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances
- Office
- Place of Entertainment
- Place of Recreation, Sports or Culture
- Private Club
- Public Utility Installation
- Public Vehicle Park (excluding container vehicle)
- Religious Institution
- Residential Institution
- School
- Shop and Services
- Social Welfare Facility
- Training Centre
- Utility Installation for Private Project

Planning Intention

This zone is primarily to provide land intended for hotel development with ancillary commercial facilities, complementing with the district commercial activities in Mong Kok and creating employment opportunities.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Hotel" Only (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of a maximum plot ratio of 9.0, and a maximum building height in terms of metres above Principal Datum as stipulated on the Plan, or the plot ratio and height of the existing building, whichever is the greater.
- (2) In determining the maximum plot ratio for the purposes of paragraph (1) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (3) Based on the individual merits of a development proposal, minor relaxation of the building height and/or plot ratio restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
<u>For "Mixed Use" only</u>	
Ambulance Depot Flat Government Use (not elsewhere specified) House Library Market Place of Recreation, Sports or Culture Public Clinic Public Transport Terminus or Station (excluding open-air terminus or station) Residential Institution School (in free-standing purpose-designed building only) Social Welfare Facility Utility Installation for Private Project	Commercial Bathhouse/Massage Establishment Eating Place Educational Institution Exhibition or Convention Hall Government Refuse Collection Point Hospital Hotel Information Technology and Telecommunication Industries Institutional Use (not elsewhere specified) Mass Transit Railway Vent Shaft and/or Other Structure above Ground Level other than Entrances Office Petrol Filling Station Place of Entertainment Private Club Public Convenience Public Transport Terminus or Station (not elsewhere specified) Public Utility Installation Public Vehicle Park (excluding container vehicle) Religious Institution School (not elsewhere specified) Shop and Services (not elsewhere specified) Training Centre Wholesale Trade

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Mixed Use" Only (Cont'd)

In addition, the following uses are always permitted (a) on the lowest three floors of an existing building, taken to include basements; or (b) in the purpose-designed non-residential portion of a building, both excluding floors containing wholly or mainly car parking, loading/unloading bays and/or plant room:

Eating Place
Educational Institution
Institutional Use (not elsewhere specified)
Off-course Betting Centre
Office
Place of Entertainment
Private Club
Public Convenience
Public Vehicle Park (excluding container vehicle)
Recyclable Collection Centre
School
Shop and Services
Training Centre

Planning Intention

This zone is intended primarily for high-density residential developments. Flexibility for the development/redevelopment/conversion to residential uses, or a combination of various types of compatible uses including residential/commercial, educational, cultural, recreational and entertainment uses, vertically within a building, is allowed to meet changing market needs. Physical segregation has to be provided between the residential and non-residential portions within a new/converted building to prevent nuisance caused by non-residential uses to the residents.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

For "Mixed Use" Only (Cont'd)

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in the plot ratio for the building upon development and/or redevelopment in excess of 7.5 for a domestic building or 9.0 for a building that is partly domestic and partly non-domestic, or the plot ratio of the existing building, whichever is the greater.
- (2) For a non-domestic building to be erected on the site, the maximum plot ratio shall not exceed 9.0 except where the plot ratio is permitted to be exceeded under paragraphs (7) and/or (8) hereof.
- (3) In determining the maximum plot ratio for the purposes of paragraphs (1) and (2) above, any floor space that is constructed or intended for use solely as car park, loading/unloading bay, plant room and caretaker's office, or caretaker's quarters and recreational facilities for the use and benefit of all the owners or occupiers of the domestic building or domestic part of the building, provided such uses and facilities are ancillary and directly related to the development or redevelopment, may be disregarded.
- (4) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of metres above Principal Datum as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (5) A minimum setback of 3m from the lot boundary above 15m measured from mean street level abutting Sai Yeung Choi Street South shall be provided.
- (6) In determining the relevant maximum plot ratio for the purposes of paragraphs (1) and (2) above, area of any part of the site that is occupied or intended to be occupied by free-standing purpose-designed buildings (including both developed on ground and on podium level) solely for accommodating GIC facilities including school(s) as may be required by Government shall be deducted in calculating the relevant site area.
- (7) Where the permitted plot ratio as defined in Building (Planning) Regulations is permitted to be exceeded in circumstances as set out in Regulation 22(1) or (2) of the said Regulations, the plot ratio for the building on land to which paragraph (1) or (2) applies may be increased by the additional plot ratio by which the permitted plot ratio is permitted to be exceeded under and in accordance with the said Regulation 22(1) or (2), notwithstanding that the relevant maximum plot ratio specified in paragraphs (1) and (2) above may thereby be exceeded.
- (8) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio and building height restrictions stated in paragraphs (1), (2) and (4) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.
- (9) Under exceptional circumstances, for a development or redevelopment proposal, minor relaxation of the setback requirements stated in paragraph (5) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
-----------------------------------	---

For "Petrol Filling Station" Only

Petrol Filling Station	Government Use Utility Installation not Ancillary to the Specified Use
------------------------	---

Planning Intention

This zone is intended primarily for petrol filling station developments.

Remarks

- (1) No new development, or addition, alteration and/or modification to or redevelopment of an existing building shall result in a total development and/or redevelopment in excess of the maximum building heights in terms of number of storeys as stipulated on the Plan, or the height of the existing building, whichever is the greater.
- (2) In determining the relevant maximum number of storeys for the purposes of paragraph (1) above, any basement floor(s) may be disregarded.
- (3) Based on the individual merits of a development or redevelopment proposal, minor relaxation of the building height restrictions stated in paragraph (1) above may be considered by the Town Planning Board on application under section 16 of the Town Planning Ordinance.

(Please see next page)

OTHER SPECIFIED USES (Cont'd)

Column 1 Uses always permitted	Column 2 Uses that may be permitted with or without conditions on application to the Town Planning Board
-----------------------------------	---

For "Railway" Only

As Specified on the Plan

- Government Use
- Mass Transit Railway Vent Shaft and/or Other
Structure above Ground Level other than
Entrances
- Private Club
- Utility Installation not Ancillary to the Specified Use

Planning Intention

This zone is intended primarily to provide land for the Mass Transit Railway.

KOWLOON PLANNING AREA NO. 3

DRAFT MONG KOK OUTLINE ZONING PLAN NO. S/K3/37

EXPLANATORY STATEMENT

KOWLOON PLANNING AREA NO. 3

DRAFT MONG KOK OUTLINE ZONING PLAN NO. S/K3/37

<u>Contents</u>	<u>Page</u>
1. INTRODUCTION	1
2. AUTHORITY FOR THE PLAN AND PROCEDURES	1
3. OBJECT OF THE PLAN	2
4. NOTES OF THE PLAN	3
5. THE PLANNING SCHEME AREA	3
6. POPULATION	3
7. REDEVELOPMENT STRATEGY	4
8. BUILDING HEIGHT RESTRICTIONS	4
9. LAND USE ZONINGS	
9.1 Commercial	7
9.2 Residential (Group A)	9
9.3 Residential (Group E)	11
9.4 Government, Institution or Community	12
9.5 Open Space	13
9.6 Other Specified Uses	14
10. URBAN RENEWAL AUTHORITY DEVELOPMENT SCHEME PLAN AREA	17
11. COMMUNICATIONS	17
12. UTILITY SERVICES	18
13. CULTURAL HERITAGE	18
14. IMPLEMENTATION	19

KOWLOON PLANNING AREA NO. 3

DRAFT MONG KOK OUTLINE ZONING PLAN NO. S/K3/37

(Being a Draft Plan for the Purposes of the Town Planning Ordinance)

EXPLANATORY STATEMENT

Note : For the purposes of the Town Planning Ordinance, this statement shall not be deemed to constitute a part of the Plan.

1. INTRODUCTION

This explanatory statement is intended to assist an understanding of the draft Mong Kok Outline Zoning Plan (OZP) No. S/K3/37. It reflects the planning intentions and objectives of the Town Planning Board (the Board) for the various land use zonings of the Plan.

2. AUTHORITY FOR THE PLAN AND PROCEDURES

- 2.1 The first statutory plans covering the Mong Kok area, included Plan No. LK 2/18 (for Yau Ma Tei), Plan No. LK 3/8 (for Tai Kok Tsui) and Plan No. S/K6/1 (for Mong Kok and Yau Ma Tei (East)), were gazetted on 11 November 1955, 1 June 1973 and 17 May 1985 respectively under the Town Planning Ordinance (the Ordinance). Subsequently, opportunity was taken to recast the planning area boundaries to conform with those of the relevant District Boards and one single OZP was prepared for the entire Mong Kok district. Accordingly, the draft Mong Kok OZP No. S/K3/1 was exhibited on 9 October 1987 for public inspection under section 5 of the Ordinance. Since then, the OZP had been amended eight times and exhibited for public inspection under section 7 of the Ordinance to reflect changing circumstances.
- 2.2 On 31 March 1998, the draft Mong Kok OZP was first approved by the Chief Executive in Council (CE in C) under section 9(1)(a) of the Ordinance. On 9 April 1998, the approved Mong Kok OZP No. S/K3/11 was exhibited for public inspection under section 9(5) of the Ordinance.
- 2.3 On 29 September 1998, the CE in C, under section 12(1)(b)(ii) of the Ordinance, referred the approved OZP No. S/K3/11 to the Board for amendment. The OZP was subsequently amended twelve times and exhibited for public inspection under sections 5 or 7 of the Ordinance.
- 2.4 On 9 May 2006, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Mong Kok OZP, which was subsequently re-numbered as S/K3/24. On 3 June 2008, the CE in C referred the approved Mong Kok OZP No. S/K3/24 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended seven times and exhibited for public inspection under sections 5 or 7 of the Ordinance to reflect the changing circumstances.

- 2.5 On 8 October 2019, the CE in C, under section 9(1)(a) of the Ordinance, approved the draft Mong Kok OZP, which was subsequently renumbered as S/K3/32. On 1 December 2020, the CE in C referred the approved Mong Kok OZP No. S/K3/32 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended once and exhibited for public inspection under section 5 of the Ordinance.
- 2.6 On 8 February 2022, the CE in C, under Section (9)(1)(a) of the Ordinance, approved the draft Mong Kok OZP, which was subsequently renumbered as S/K3/34. On 3 May 2022, the CE in C referred the approved Mong Kok OZP No. S/K3/34 to the Board for amendment under section 12(1)(b)(ii) of the Ordinance. The OZP was subsequently amended once and exhibited for public inspection under section 5 of the Ordinance.
- 2.7 On 30 May 2023, the CE in C, under Section (9)(1)(a) of the Ordinance, approved the draft Mong Kok OZP, which was subsequently renumbered as S/K3/36. On 14 December 2023, the Secretary of Development referred the approved Mong Kok OZP No. S/K3/36 to the Board for amendment under section 12(1A)(a)(ii) of the Ordinance. The reference back of the OZP was notified in the Gazette on 22 December 2023 under section 12(2) of the Ordinance.
- 2.8 On 22 March 2024, the draft Mong Kok OZP No. S/K3/37 (the Plan) was exhibited for public inspection under section 5 of the Ordinance. The amendments on the Plan mainly involved rezoning a site at Fuk Tsun Street from “Comprehensive Development Area (1)” to “Residential (Group A)” (“R(A)”) and other amendments to reflect the current uses and to rationalise the zoning boundaries.

3. OBJECT OF THE PLAN

- 3.1 The object of the Plan is to indicate the broad land use zonings and major transport networks so that development and redevelopment within the Planning Scheme Area can be put under statutory planning control.
- 3.2 The Plan is to illustrate the broad principles of development. It is a small-scale plan and the transport alignments and boundaries between the land use zones may be subject to minor adjustments as detailed planning proceeds.
- 3.3 Since the Plan is to show broad land use zonings, there would be cases that small strips of land not intended for building development purposes and carry no development right under the lease, such as the areas restricted for garden, slope maintenance and access road purposes, are included in the residential zones. The general principle is that such areas should not be taken into account in plot ratio and site coverage calculations. Development within residential zones should be restricted to building lots carrying development right in order to maintain the character and amenity of the Mong Kok area and not to overload the road network in this area.

4. NOTES OF THE PLAN

- 4.1 Attached to the Plan is a set of Notes which shows the types of uses or developments which are always permitted within the Planning Scheme Area and in particular zones and which may be permitted by the Board, with or without conditions, on application. The provision for application for planning permission under section 16 of the Ordinance allows greater flexibility in land use planning and control of development to meet changing needs.
- 4.2 For the guidance of the general public, a set of definitions that explains some of the terms used in the Notes may be obtained from the Technical Services Division of the Planning Department (PlanD) and can be downloaded from the Board's website at <http://www.tpb.gov.hk> .

5. THE PLANNING SCHEME AREA

- 5.1 The Planning Scheme Area (the Area) is located in West Kowloon. It is bounded by Boundary Street to the north, the Mass Transit Railway (MTR) East Rail Line to the east, Dundas Street to the south, and Sham Mong Road and Ferry Street to the west. The boundary of the Area is delineated in a heavy broken line on the Plan. It covers about 147 hectares of land.
- 5.2 The Area is one of the oldest urban areas in Hong Kong with residential use being the predominant land use. Residential buildings in the Area used to be of four to six storeys and were built in the immediate post-war period. Intermixed with these buildings are more recent high-rise developments mainly for mixed commercial/residential uses. Commercial developments, in the form of office buildings with shops on the lower floors, are located mainly along Nathan Road.
- 5.3 Flower Market Road, Tung Choi Street and Fa Yuen Street in the eastern part of the Area are mainly occupied by high-rise residential developments and renowned for the agglomeration of small local shops of respective similar trades. The existing industrial buildings are mainly located in the western part of the Area, for instance in the area bounded by Tung Chau Street, Lime Street, Fuk Tsun Street and Tai Kok Tsui Road.
- 5.4 The Area has a high concentration of old buildings in dilapidated conditions and aging building stock problem. Improvement to the living environment would be brought by comprehensive urban renewal programmes and redevelopments.

6. POPULATION

Based on the 2021 Population Census, the population of the Area was estimated by the PlanD as about 133,400. It is estimated that the planned population of the Area will be about 161,100.

7. REDEVELOPMENT STRATEGY

- 7.1 In view of the rapid ageing of buildings, more effective policy measures should be adopted to expedite the pace of redevelopment and renewal. As one of the measures, the District Study for Yau Ma Tei and Mong Kok (YMDS) commenced by the Urban Renewal Authority (URA) in 2017 has mapped out a blueprint for restructuring and regenerating the old districts to enhance land use efficiency and optimise redevelopment potential. With a view to incentivising market participation, new urban renewal strategies involving both URA and the private sector as well as institutional and implementation mechanisms have been formulated for adoption in the Yau Ma Tei and Mong Kok areas (the Yau Mong Areas).
- 7.2 With a view to regenerating the Yau Mong Areas into a livable, sustainable, diverse and vibrant metropolitan hub while reinforcing it as an area representing the rich local and cultural heritage of Hong Kong, URA has developed three sets of Master Urban Renewal Concept Plans (MRCPs), i.e. “+”, “0” and “-”. The “+” scenario envisions growth and livability, focusing on steering economic growth, and is designed to generate an increase in Gross Floor Area (GFA) (but leans more on non-domestic GFA) within the limits of infrastructure and planning capacity. The “-” scenario aspires to create a livable city with major restructuring and population thin-out, requiring higher level of Government initiatives. The “0” scenario lies in the middle ground and seeks to maintain existing permissible level of development under the OZP with improvement in livability. The implementation of the MRCPs would be dependent on resource availability. As a first step, URA will adopt MRCP “+” in its early projects. With the readiness of new land supply in the future rendering it possible to thin out the population in the Yau Mong Areas, the development model would be gradually shifted to the “0” or “-” scenario.

8. BUILDING HEIGHT RESTRICTIONS

- 8.1 In order to provide better planning control on the development intensity and building height upon development/redevelopment and to meet public aspirations for greater certainty and transparency in the statutory planning system, the Kowloon OZPs are subject to revisions to incorporate building height restrictions to guide future development/redevelopment. In order to prevent excessive tall or out-of-context buildings, and to instigate control on the overall building height profile of the Area, building height restrictions have been imposed for the development zones on the Plan.
- 8.2 The building height restrictions have taken into account the existing topography and site levels, the foothill setting, the local character, existing townscape and building height profile, the local wind environment and measures suggested for ventilation improvements, areas of local attractions, the building height restriction under the lease, the Urban Design Guidelines under the Hong Kong Planning Standards and Guidelines (HKPSG) and Sustainable Building Design Guidelines (SBDG). Except for the building height restrictions of 320 metres above Principal Datum (mPD) on the “Commercial (4)” (“C(4)”) zone at Sai Yee Street; 260mPD and 179mPD on the “Commercial (2)” (“C(2)”) zone at Portland Street and Shanghai Street covering Langham Place and Cordis Hong Kong respectively; 156mPD on the “Residential

(Group A)1” (“R(A)1”) zone covering Metro Harbour View at Fuk Lee Street, as well as 169mPD and 154mPD at the “Residential (Group A)2” (“R(A)2”) zone covering Florient Rise at Cherry Street, the building height bands in the Area are in general stepping down from the “Commercial” (“C”) zones along Nathan Road with building height restrictions of 160mPD and 140mPD to the “Residential (Group A)” (“R(A)”), “Residential (Group E)” (“R(E)”) and “Other Specified Uses” annotated “Mixed Use” (“OU(MU)”) zones with building height restrictions of 115mPD towards the east and west. The proposed building height profile will help achieve a stepped height profile for visual permeability.

- 8.3 Moreover, specific building height restrictions for the “Government, Institution or Community” (“G/IC”) and “Other Specified Uses” (“OU”) zones in terms of mPD and/or number of storeys, which mainly reflect the existing and planned building heights of developments, have been incorporated into the Plan.
- 8.4 An air ventilation assessment (AVA) by expert evaluation was undertaken in 2010 (AVA 2010) to assess the likely impact of the building heights of the development sites within the Area on the pedestrian wind environment. AVA 2010 found that the streets in the Area generally follow a north-south and east-west grid pattern. The street orientation is in parallel with the annual prevailing wind coming from the northeast, and summer prevailing wind from the southwest and east directions. The grid street pattern of the Area serves as an important wind path system and should be preserved as far as possible. The AVA 2010 also points out that horizontal signboard would deteriorate the local air ventilation performance, and recommends that the projection of signboards should be of vertical type instead of horizontal type, especially in areas with high pedestrian activities.
- 8.5 An updated AVA was conducted in 2018 to assess the impact of relaxing the building height restrictions for the “C”, “R(A)”, “R(E)” and “OU” annotated “Business” sites and to review the non-building area (NBA), building gap and setback requirements on the draft OZP based on the assumption that redevelopments would follow SBDG. It is recognised that the adoption of SBDG’s design measures within the Area in future would enhance the building permeability, in particular at the pedestrian level. However, relying on SBDG alone would not be sufficient to ensure good ventilation, and other air ventilation measures, such as NBA, building gap and setback requirements at different locations across the Area could increase urban permeability for air movements within the existing street canyons and facilitate wind flow into the Area and are considered essential and should be maintained as detailed in paragraphs 8.9 and 8.10. To avoid further deterioration of the existing air ventilation performance of the Area, the design principles as set out in HKPSG should also be followed by future developments/redevelopments.
- 8.6 The AVA conducted in 2022 concluded that the proposed amendments to the “C”, “R(A)”, “R(E)” and “OU(MU)” zones would not have significant adverse impact on air ventilation in the Area. To further improve air ventilation in the Area especially the “C” and “OU(MU)” zones, future developments are encouraged to adopt suitable permeable design including smaller/terraced podium, more building setbacks/gaps and open area at low level for better ventilation.

- 8.7 In general, a minor relaxation clause in respect of building height restrictions is incorporated into the Notes of the Plan for various zones in order to provide incentive for developments/redevelopments with design merits/planning gains. Each application for minor relaxation of building height restriction will be considered on its own merits and the relevant criteria for consideration of such relaxation are as follows:
- (a) amalgamating smaller sites for achieving better urban design and local area improvements;
 - (b) accommodating the bonus plot ratio granted under the Buildings Ordinance in relation to surrender/dedication of land/area for use as public passage/street widening;
 - (c) providing better streetscape/good quality street level public urban space;
 - (d) providing separation between buildings to enhance air ventilation and visual permeability;
 - (e) accommodating building design to address specific site constraints in achieving the permissible plot ratio under the OZP; and
 - (f) other factors, such as the need for tree preservation, innovative building design and planning merits that would bring about improvements to townscape and amenity of the locality, provided that no adverse landscape and visual impacts would be resulted from the innovative building design.
- 8.8 However, for existing buildings where the building heights have already exceeded the maximum building height restrictions in terms of mPD or number of storeys as shown on the Plan or stipulated in the Notes, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.

8.9 Building Gaps/Building Setbacks

Gaps between buildings play a key role in creating air paths by appropriate design and disposition of building block.

- (a) The air/wind path at Maple Street will be enhanced by imposing a 3m-setback of buildings at 15m measured from mean street level for the sites abutting Maple Street between Tung Chau Street and Larch Street, except at Kowloon Funeral Parlour and Maple Street Substation, to improve air penetration and visual permeability upon redevelopment.
- (b) The height of north-western corner of the podium of Shining Heights at Sycamore Street will be retained and subject to a building height restriction of 20mPD to maintain the building gap above podium level for the east-west air/wind path as well as for visual permeability.
- (c) To enhance the north-south air flow in the inner part of the Kowloon Peninsula, a building setback of 3m at 15m measured from mean street level for the sites

along Portland Street and Sai Yeung Choi Street South is imposed.

- (d) To facilitate the air ventilation of the Area, a 30m-wide building gap above 23mPD aligned with Mong Kok Road at the “C(4)” zone at Sai Yee Street and at the “OU” annotated “Railway Station Development” zone at the MTR Mong Kok East Station is imposed to create an east-west air/wind path to improve air penetration and visual permeability upon development/redevelopment.
- (e) To assist the air ventilation performance in the inner part of the Kowloon Peninsula, a north-east to south-west air/wind path over Cheung Wong Road/ Nullah Road is proposed by imposing a building height restriction of 20mPD at part of Tai Kok Tsui Telephone Exchange, part of Mong Kok Exchange, part of Hang Tung Building and part of S.K.H. Kei Wing Primary School.

8.10 Non-Building Areas

A NBA within the “R(E)” zone abutting Kok Cheung Street facilitates the air ventilation of the Area taking advantage of the open space at the southern portion of Harbour Green. The 13m-wide NBA aligned with Li Tak Street is designated at the “R(E)” site to create an east-west air/wind path to improve air penetration and visual permeability upon redevelopment, and such a restriction will not apply to underground developments.

- 8.11 The above building gaps/setbacks and NBA should be taken into account upon future redevelopment of the sites. A minor relaxation clause has been incorporated into the Notes of the relevant zones to allow minor relaxation of the stated building gap/setback requirements and NBA restriction under exceptional circumstances.

9. LAND USE ZONINGS

9.1 Commercial (“C”) - Total Area 10.56 ha

- 9.1.1 This zoning is intended primarily for commercial developments, which may include shop, services, place of entertainment and eating place, functioning mainly as district and local shopping centres.
- 9.1.2 This zoning covers mainly sites on both sides of Nathan Road, which is the commercial spine within Mong Kok area. Many of these sites have been developed for commercial purposes including shops, department stores, cinemas, restaurants and offices.
- 9.1.3 A site at the junction of Tai Kok Tsui Road and Beech Street, which has been developed into a commercial cum multi-storey car/lorry park development (i.e. New Kowloon Plaza), is zoned “Commercial (1)” with a requirement that not less than 480 public car/lorry parking spaces shall be provided within the site.

- 9.1.4 The area bounded by Argyle Street to the north, Portland Street to the east, Shantung Street to the south and Reclamation Street to the west, which was previously covered by the approved Land Development Corporation (LDC) Argyle Street/Shanghai Street Development Scheme Plan (DSP) No. S/K3/LDC1/2, has been developed into a commercial/office/hotel development (i.e. Langham Place) comprising a public open space and Government, institution or community (GIC) facilities. The area is zoned "C(2)" subject to a maximum total GFA of 169,055m², of which not less than 1,814m², 1,239m² and 3,494m² for a public light bus terminus, a neighbourhood community centre and a cooked food centre respectively shall be provided within the site. A public open space of not less than 1,100m² shall also be provided.
- 9.1.5 The ex-Mong Kok Market site at the junction of Canton Road and Argyle Street is zoned "C(3)" subject to a maximum plot ratio of 9.0, a building height restriction of 100mPD, and the provision of a community health centre (CHC) of not less than 4,500m² GFA. The CHC is planned to provide the public with more comprehensive, multi-disciplinary, better co-ordinated and more person-centred primary care services, through collaboration between the public sector, the private sector and non-government organizations involved in providing healthcare to the community. Services may include primary medical/dental care, maternal and child health services, Chinese medicine and other multi-disciplinary healthcare support to the community. The CHC will be accommodated in the lower floors of the building, and provided with separate entrance and lifts/escalators to achieve convenience for patients. Loading/unloading and car parking facilities shall also be provided for the CHC. In addition, a connection point shall be provided within the site to connect to the future footbridge system along Argyle Street.
- 9.1.6 The site zoned "C(4)" at Sai Yee Street will be redeveloped mainly for commercial uses. The development within this zone is subject to a maximum GFA of 141,600m² and a maximum building height of 320mPD (including roof-top structures) and 40mPD (including roof-top structures) for sub-area (a) and sub-area (c) respectively as stipulated on the Plan. For sub-area (b), a 30m-wide building gap where no building/structure shall exceed a maximum building height of 23mPD shall be provided. A total GFA of not less than 4,940m² for GIC facilities including a community hall and social welfare facilities, shall be provided to meet the need and aspiration of the local community. A public light bus public transport interchange, loading/unloading facilities for cross-boundary coaches and not less than 130 public car parking spaces shall also be provided. Moreover, public open space of not less than 6,550m², of which not less than 3,200m² is at-grade close to the junction of Argyle Street and Sai Yee Street, shall be provided. The public open space should be designed and integrated well with each other by way of cohesive design, convenient pedestrian connectivity and visual connections. The provision of public open space at the site will allow better air ventilation and visual permeability especially at pedestrian and lower levels. Furthermore, the existing Old and Valuable Tree(s) and two trees bearing Old and Valuable Trees characters within the site are to be preserved

and be integrated into the design of the at-grade public open space. In the design of the development at Sai Yee Street, promoting visual openness and avoiding overshadowing the adjoining Hong Kong and Kowloon Chiu Chow Public Association Secondary School shall be taken into consideration.

- 9.1.7 The “C(4)” zone should be connected to the adjoining “OU” annotated “Railway Station Development” zone with two elevated landscaped walkways across Luen Wan Street. In addition, to improve the existing traffic conditions in the area, road/footpath widening works will be carried out for the sections of Sai Yee Street, Argyle Street and Luen Wan Street abutting this zone. To facilitate pedestrian movement, two new footbridges, one to link up with the existing Mong Kok Road Footbridge and another across Argyle Street to Mong Kok area south of the site with provision of a connection point to the future footbridge system along Argyle Street shall be provided in relation to the development in this zone.
- 9.1.8 The development requirements and urban design considerations for the “C(4)” zone have been set out in a Planning and Design Brief (PDB) to guide its future redevelopment. Any new development or redevelopment of an existing building at the site should be submitted to the Board for approval in the form of a layout plan to ensure an integrated and compatible layout for the development at the site before development proceeds. The layout plan should set out the proposed mix of land uses, GIC facilities, open space, vehicular access, pedestrian circulation and connection, landscaping and tree preservation, etc. in accordance with the requirements set out in the PDB.
- 9.1.9 Most developments within the “C” zone are subject to a building height restriction of 140mPD. A higher building height restriction of 160mPD is allowed for the “C” zone between Argyle Street and Mong Kok Road and those between Boundary Street and Prince Edward Road West. These taller buildings, Langham Place and the redevelopment at Sai Yee Street would create a varied urban canopy to encourage downwash of wind to pedestrian level improving the local air ventilation performance.
- 9.1.10 However, for any existing building with plot ratio/GFA/building height already exceeding the relevant restrictions as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.
- 9.1.11 In order to enhance the local air ventilation performance, a minimum building setback of 3m from the lot boundary above 15m measured from mean street level abutting Portland Street and Sai Yeung Choi Street South shall be provided.

9.2 Residential (Group A) (“R(A)”) - Total Area 35.99 ha

- 9.2.1 This zone is intended primarily for high-density residential developments. Commercial uses such as shop, services and eating place are always permitted

on the lowest three floors of a building or in the purpose-designed non-residential portion of an existing building.

- 9.2.2 Nearly all the existing residential developments in the Area, except those on both sides of Nathan Road, are within this zone.
- 9.2.3 Taking into account the proposals under YMDS to allow more flexibility for interchangeability between domestic and non-domestic plot ratio for incentivising redevelopment and increasing flat supply, developments or redevelopments within this zone are subject to specific control on plot ratios except otherwise specified in the Notes, i.e. a maximum plot ratio of 8.5 for a domestic building or a maximum plot ratio of 9.0 for a partly domestic and partly non-domestic building of which the domestic part of the building should not exceed 8.5, or a maximum plot ratio of 9.0 for a non-domestic building. In calculating the GFA for these developments/redevelopments, the lands for free-standing purpose-designed buildings that are solely used for accommodating school or other GIC facilities, including those located on ground and on building podium, are not to be taken as parts of the site.
- 9.2.4 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratios may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- 9.2.5 The site at the junction of Fuk Tsun Street and Lime Street covers a residential development and Hung Shing Temple compound which is currently under the ownership of the Secretary for Home Affairs Incorporated. The existing temple, mature tree and open-air forecourt on site should be preserved and opened to the public. Future redevelopment at the site should take into account preservation of the temple and the mature tree to ensure an integrated design. Furthermore, prior to the development/redevelopment of the site, noise impact assessment, air quality impact assessment, sewerage impact assessment (SIA) and traffic impact assessment are required to submit as requested by relevant government departments to demonstrate the acceptability of the proposed development from environmental and traffic perspectives and to identify necessary mitigation measures, if required.
- 9.2.6 The site at the junction of Fuk Lee Street and Tai Kok Tsui Road is zoned “R(A)1” which has been developed comprehensively for a commercial/residential development (known as Metro Harbour View) with a 4-classroom kindergarten, a public vehicle park with 100 public car and 130 light goods vehicle parking spaces and public open space.
- 9.2.7 The site at Cherry Street, which was previously covered by the approved LDC Cherry Street DSP No. S/K3/LDC3/2, has been developed into a commercial/residential development (known as Florient Rise) with GIC facilities. The site is zoned “R(A)2” subject to maximum domestic and non-domestic GFA of 36,466m² and 6,765m² respectively, of which not less

than 1,850m² for a residential care home for the elderly shall be provided within the site.

- 9.2.8 The ex-Soy Street Cooked Food Centre site at the junction of Soy Street and Shanghai Street is zoned “Residential (Group A)3” subject to a maximum plot ratio of 9.0 and the provision of social welfare facilities of a GFA of not less than 937m². The social welfare facilities will be accommodated in the lower floors of the building, and provided with separate entrance and lifts/escalators to achieve convenience for the users.
- 9.2.9 The site at Yim Po Fong Street has been developed into a commercial/residential development (known as MacPherson Place) with GIC facilities. The site is zoned “Residential (Group A)4” (“R(A)4”) subject to a maximum domestic GFA of 16,705m² and non-domestic GFA of 8,062m², of which not less than 3,337m² for indoor stadium and not less than 2,282m² for youth centre shall be provided.
- 9.2.10 For new development/redevelopment within the “R(A)” zone that are adjacent to major roads, measures to mitigate the traffic noise impacts should be taken into account. Effort should also be made to reduce the noise level at source, such as provision of noise reducing friction course on road surface.
- 9.2.11 Developments within this zone are subject to a maximum building height of 115mPD, except on land designated “R(A)1” and “R(A)2”.
- 9.2.12 However, for any existing building with plot ratio/GFA/building height already exceeding the relevant restrictions as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.
- 9.2.13 In order to enhance the local air ventilation performance, a minimum building setback of 3m from the lot boundary above 15m measured from mean street level abutting Portland Street and Sai Yeung Choi Street South shall be provided.
- 9.2.14 The plot ratio/GFA control under “R(A)” and “R(A)4” zones are regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.

9.3 Residential (Group E) (“R(E)”) - Total Area 2.82 ha

- 9.3.1 This zoning is intended to encourage the phasing out of industrial uses. It provides an opportunity for redevelopment of existing obsolete industrial buildings. Residential development may be permitted with or without conditions on application to the Board. The developers will be required to submit adequate information to demonstrate that the new residential development will be sustainable in environmental and traffic terms, and

suitable mitigation measures, if required, will be implemented to address the potential industrial/residential (I/R) interface problems.

- 9.3.2 Under this zoning, existing industrial uses will be tolerated but new industrial development will not be permitted upon redevelopment in order to avoid the perpetuation or aggravation of the I/R interface problems with the new residential development during the redevelopment process. Any modification of use from non-industrial to industrial uses within existing industrial buildings will also require the permission of the Board.
- 9.3.3 The “R(E)” zones in the western part of Mong Kok are intended to phase out the remaining industrial uses.
- 9.3.4 Developments within this zone are subject to specific control on plot ratios and building heights similar to that for the “R(A)” zone as stipulated on the Plan or in the Notes of the Plan. In calculating the GFA for these developments/redevelopments, the lands for free-standing purpose-designed buildings that are solely used for accommodating school or other GIC facilities, including those located on ground and on building podium, are not to be taken as parts of the site.
- 9.3.5 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratios may be increased by what is permitted to be exceeded under Regulation 22. This is to maintain flexibility for unique circumstances such as dedication of part of a site for road widening or public uses.
- 9.3.6 Developments within this zone are subject to a maximum building height of 115mPD.
- 9.3.7 However, for any existing building with plot ratio/building height already exceeding the relevant restrictions as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.
- 9.3.8 In order to allow more westerly wind to enter into the Mong Kok area, especially into the inner area, a 13m-wide NBA is designated to the south of Cosmopolitan Estate Tai Lee Building aligned with Li Tak Street at the “R(E)” site abutting Kok Cheung Street.
- 9.3.9 The plot ratio control under “R(E)” zone is regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.

9.4 Government, Institution or Community (“G/IC”) - Total Area 12.53 ha

- 9.4.1 This zone is intended primarily for the provision of GIC facilities serving the needs of the local residents and/or a wider district, region or the territory. It is

also intended to provide land for uses directly related to or in support of the work of the Government, organizations providing social services to meet community needs, and other institutional establishments. Such developments, particularly for those which are low-rise, serve to provide visual and spatial relief to the densely built-up environment of the Area.

- 9.4.2 Major existing facilities include Mong Kok Stadium and two indoor games halls near the junction of Sai Yee Street and Boundary Street, Mong Kok District Police Headquarters at the junction of Prince Edward Road West and Nathan Road, a market and an indoor games hall complex at the junction of Mong Kok Road and Fa Yuen Street, a Government complex at Fuk Tsun Street, a fire station at Tong Mi Road, and a number of primary and secondary schools at various locations.
- 9.4.3 Development and redevelopment in this zone are subject to building height restrictions in terms of number of storeys (excluding basement floor(s)) or mPD as stipulated on the Plan, or the height of the existing building, whichever is the greater. Building height restrictions for most of the “G/IC” zones are stipulated in terms of number of storeys except the relatively high-rise GIC uses, such as the CUHK School of Continuing and Professional Studies buildings at Shantung Street, so as to reflect the existing building height and/or to provide a more clear control over the building height profile.
- 9.4.4 However, for any existing building with building height already exceeding the relevant restriction as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.
- 9.4.5 In order to enhance the local air ventilation performance, a minimum building setback of 3m from the lot boundary above 15m measured from mean street level abutting Portland Street and Sai Yeung Choi Street South shall be provided.

9.5 Open Space (“O”) - Total Area 8.78 ha

- 9.5.1 This zoning is intended primarily for the provision of outdoor open-air space for active and/or passive recreational uses serving the needs of local residents as well as the general public.
- 9.5.2 Major existing open spaces include Boundary Street Sports Ground, Macpherson Playground at Nelson Street, Lok Kwan Street Park and the playgrounds at Willow Street, Anchor Street, Tong Mi Road/Canton Road, Mong Kok Road, Thistle Street, Sai Yee Street and Ivy Street.
- 9.5.3 Two sites along Nullah Road, previously used as petrol filling stations, have been rezoned to “O”. The site at the junction of Nullah Road and Sai Yeung Choi Street South has been developed into a sitting-out area under the District Minor Works Programme of Yau Tsim Mong District Council, whereas the site at the junction of Nullah Road and Tung Choi Street would be developed

as a public open space under the URA's Proposed Revitalization Plan in Mong Kok. Further feasibility/design study on the proposed revitalization plan will be carried out by the URA.

9.6 Other Specified Uses ("OU") - Total Area 16.59 ha

- 9.6.1 This zoning covers land allocated for specific uses.
- 9.6.2 Within this zoning are the funeral parlour at Maple Street; petrol filling stations at Anchor Street, Tong Mi Road, Mong Kok Road and Prince Edward Road West; and land for the railway. A commercial/office/hotel development including a social centre for the elderly at the MTR Mong Kok East Station has been completed. They are subject to building height restrictions of 23mPD to 92mPD and 1 to 2 storeys to reflect the building height of the existing developments. Basement floor(s) may be disregarded in determining the number of storeys.
- 9.6.3 The site at the junction of Lai Chi Kok Road and Tong Mi Road (i.e. Lui Seng Chun building) is designated as "OU" annotated "Historical Site Preserved for Commercial and Cultural Uses". The planning intention is to preserve, restore and convert the building into a local heritage attraction with the provision of cultural and commercial facilities for the enjoyment of the public. It is subject to a building height restriction of 4 storeys. Basement floor(s) may be disregarded in determining the number of storeys.
- 9.6.4 Two sites at the junction of Prince Edward Road West and Yuen Ngai Street, which were previously covered by the approved URA Prince Edward Road West/Yuen Ngai Street DSP No. S/K3/URA2/2, have been designated as "OU" annotated "Historic Buildings Preserved for Commercial and/or Cultural Uses". The planning intention is for the preservation and adaptive re-use of the existing pre-war Grade 2 historic buildings for commercial and/or cultural uses to serve the needs of the public. It is subject to building height restriction of 4 storeys, or the height of the existing building, to reflect the building height of the existing developments.
- 9.6.5 Another site at Shanghai Street, which was previously covered by the approved URA Shanghai Street/Argyle Street DSP No. S/K3/URA3/2, has been designated as "OU" annotated "Historic Buildings Preserved for Commercial and/or Cultural Uses", and intended for the preservation and adaptive re-use of the existing pre-war Grade 2 historic buildings (i.e. Nos. 600-606, 612-614 and 620-626 Shanghai Street) for commercial and/or cultural uses to serve the needs of the public. It is subject to building height restriction of 3 storeys, or the height of the existing building, to reflect the building height of the existing developments.
- 9.6.6 The area at the junction of Anchor Street and Fuk Tsun Street, which was previously covered by the approved URA Anchor Street/Fuk Tsun Street DSP No. S/K3/URA1/2, has been developed into a hotel development. The area is

zoned “OU” annotated “Hotel” subject to a maximum plot ratio of 9.0 and building height restriction of 105mPD.

- 9.6.7 The area bounded by Prince Edward Road West to the south, Sai Yee Street to the west, Flower Market Road to the north and Yuen Po Street to the east, and the area bounded by Sai Yeung Choi Street to the west, Fa Yuen Street to the east, Dundas Street to the south and Nullah Road to the north are zoned “OU(MU)”. This zone is intended primarily for high-density residential developments. Flexibility for the development/redevelopment/ conversion to residential uses, or a combination of various types of compatible uses including residential/commercial, educational, cultural, recreational and entertainment uses, vertically within a building, is allowed to meet changing market needs. Physical segregation has to be provided between the residential and non-residential portions within a new/converted building to prevent nuisance causing by non-residential uses to the residents. Developments within “OU(MU)” zone are subject to maximum building height of 115mPD, a maximum plot ratio of 7.5 for a domestic building or a maximum plot ratio of 9.0 for a partly domestic and partly non-domestic building, or a maximum plot ratio of 9.0 for a non-domestic building. In order to enrich the commercial mix through more commercial floor spaces, non-domestic use is allowed on the lowest three floors of an existing building (including basements), or in the purpose-designed non-residential portion of a building. The plot ratio control under this zone is regarded as being stipulated in a “new or amended statutory plan” according to the Joint Practice Note No. 4 “Development Control Parameters Plot Ratio/Gross Floor Area”, and shall be subject to the streamlining arrangements stated therein.
- 9.6.8 On land designated “OU” annotated “Funeral Parlour”, a maximum plot ratio of 3.7 and a maximum building height of 23mPD reflecting the existing development bulk are imposed in order to prevent visually intrusive development on the site.
- 9.6.9 About 2.6 ha of land is zoned “OU” annotated “Business”. The planning intention of the business zone is primarily for general business uses. Under this zoning, a mix of information technology and telecommunications industries, non-polluting industrial, office and other commercial uses are always permitted in new ‘business’ buildings. In order to ensure that the concerns on fire safety and environmental impacts are properly addressed, only less fire hazard-prone office use that would not involve direct provision of customer services or goods to the general public is always permitted in existing industrial or industrial-office (I-O) buildings. As it is not possible to phase out existing polluting and hazardous industrial uses all at once, it is necessary to ensure compatibility of the uses within the same industrial or I-O building until the whole building is transformed to cater for the new non-polluting business uses. The setting back of buildings to cater for the future increase in traffic demand may also be required. Development within this zone should make reference to the relevant Town Planning Board Guidelines. The land designated “OU” annotated “Business” would act as a buffer separating the “R(A)” and “R(E)” zones from the funeral parlour and

elevated roads along Tai Kok Tsui Road, Tung Chau Street and Tong Mi Road. Developments within this zone are subject to a maximum plot ratio of 12.0 and building height restriction of 110mPD.

- 9.6.10 On land designated “OU” annotated “Railway Station Development”, a public open space of not less than 3,200m² shall be provided on the deck of the MTR Mong Kok East Station to the south of the existing Mongkok Government Offices (MKGO) currently partly vacant and partly used as an open-air car park for the MKGO and should be connected to the adjoining “C(4)” zone with two elevated landscaped walkways across Luen Wan Street.
- 9.6.11 In the circumstances set out in Regulation 22 of the Building (Planning) Regulations, the above specified maximum plot ratios may be increased by what is permitted to be exceeded under Regulation 22.
- 9.6.12 However, for any existing building with plot ratio/building height already exceeding the relevant restrictions as stipulated on the Plan or in the Notes of the Plan, there is a general presumption against such application for minor relaxation unless under exceptional circumstances.
- 9.6.13 In order to enhance the air ventilation performance, a 30m-wide building gap where no building/structure shall exceed a maximum building height of 23mPD aligned with Mong Kok Road at the MTR Mong Kok East Station shall be provided.
- 9.6.14 Also, a minimum building setback of 3m from the lot boundary above 15m measured from mean street level abutting Sai Yeung Choi Street South and Maple Street shall be provided.
- 9.6.15 In submitting a planning application to the Board for Lui Seng Chun building, the applicant should make reference to the conservation principles as stated in the Conservation Guidelines drawn up by the Antiquities and Monuments Office (AMO) of Development Bureau.
- 9.7 For the zones where minor relaxation of relevant restrictions are applicable, based on the individual merits of a development or redevelopment proposal, minor relaxation of the plot ratio/building height/GFA restrictions as stated in the relevant paragraphs above may be considered by the Board on application under section 16 of the Ordinance. The criteria given in paragraphs 8.7 and 8.8 above would be relevant for the assessment of minor relaxation of building height restrictions. Each application will be considered on its own merits.
- 9.8 For the zones where minor relaxation of relevant restrictions are applicable, under exceptional circumstances, minor relaxation of NBA and setback restrictions as stated in the relevant paragraphs above may be considered by the Board on application under section 16 of the Ordinance and the application should be supported by an AVA. The NBA restriction will not apply to underground development within the NBAs stipulated on the Plan, landscaping, street furniture, underground structures, boundary fence/wall, footbridge and covered walkway will be permitted.

10. URBAN RENEWAL AUTHORITY DEVELOPMENT SCHEME PLAN AREA

– Total Area 0.28 ha

- 10.1 An area has been designated as ‘URA DSP Area’. The land use zoning of the area is depicted on the relevant URA DSP and it will be implemented by the URA.
- 10.2 The DSP for Shantung Street/Thistle Street covers an area of about 0.28ha. The site is intended for high-density residential developments. Commercial uses are always permitted on the lowest three floors of a building or in the purpose-designed non-residential portion of a building connecting to a sunken plaza.

11. COMMUNICATIONS

11.1 Roads

The roads in the Area are mainly arranged in a grid pattern. Major distributor roads running in an east-west direction include Argyle Street, Cherry Street, Mong Kok Road, Prince Edward Road West and Boundary Street. Those in a north-south direction include Nathan Road, Shanghai Street, Tong Mi Road, Lai Chi Kok Road and Tai Kok Tsui Road.

11.2 Railways

- 11.2.1 The Area is served by the MTR Tsuen Wan Line running beneath Nathan Road. There are two stations, namely Mong Kok Station and Prince Edward Station, with entrances distributed at convenient locations.
- 11.2.2 The MTR East Rail Line runs along the eastern edge of the Area with the Mong Kok East Station accessible from Argyle Street, Bute Street and Prince Edward Road West. It provides train services to Admiralty, Hung Hom, Kowloon Tong and the North-East New Territories.
- 11.2.3 The Hong Kong Section of the Guangzhou-Shenzhen-Hong Kong Express Rail Link is a cross-boundary passenger line running from West Kowloon Station and connects with the national high-speed railway network. The railway tunnel runs through the underground of the western part of the Area. The railway was put into services in 2018.

11.3 Bus Services

The Area is well served by buses and a bus terminus is provided in the East Rail Line Mong Kok East Station.

11.4 Pedestrian Circulation

- 11.4.1 A footbridge system linking up the East Rail Line Mong Kok East Station and the Tsuen Wan Line Mong Kok Station along Sai Yee Street and Mong Kok Road has been completed. A western extension of the footbridge at Mong

Kok Road across Nathan Road has also been completed to further improve the footbridge system in the area.

- 11.4.2 To link up West Kowloon Reclamation Area and the hinterland in Mong Kok, a number of footbridges have been built across Ferry Street, Cherry Street, Lin Cheung Road, Sham Mong Road and the West Kowloon Highway. These footbridges provide the essential linkages between the hinterland area and the major commercial development and community facilities at Tung Chung Line Olympic Station.
- 11.4.3 To improve the pedestrian environment, pedestrian schemes have been implemented in the more crowded parts of Mong Kok along sections of Sai Yeung Choi Street South, Tung Choi Street, Fa Yuen Street, Soy Street, Shantung Street and Nelson Street, for improving pedestrian safety and mobility and enhancing the streetscape.
- 11.4.4 To strengthen Nathan Road and Argyle Street as the major pedestrian corridors in the Area, setback of building fronting Nathan Road and Argyle Street should be provided to meet the requirements under HKPSG upon redevelopment.

12. UTILITY SERVICES

The Area is well served with piped water supply, drainage and sewerage systems. Electricity, gas and telephone services are also available. As revealed in the SIA of YMDS, Anchor Street Sewage Pumping Station and Sham Shui Po No. 1 & 2 Sewage Screening Plant, as well as some trunk sewers in the Yau Mong Areas may not have sufficient capacity to cater for the future developments in the Area. Sewerage upgrading works may be required as recommended in the SIA for the possible increase in sewerage generation arising from the future developments subject to the views and agreement of relevant government departments.

13. CULTURAL HERITAGE

- 13.1 There are one declared monument, namely Lui Seng Chun, and a number of graded buildings in the Area, namely Old Kowloon Police Headquarters (Grade 2) at Prince Edward Road West, S.K.H. All Saints' Cathedral (Grade 3) at Yim Po Fong Street, Hung Shing Temple (Grade 3) at Fuk Tsun Street, Shui Yuet Temple (Grade 3) at Shan Tung Street, as well as shophouses at 190, 192, 194, 196, 198, 200, 202, 204, 210, 212 Prince Edward Road West (Grade 2), 600, 602, 604, 606, 612, 614, 620, 622, 624, 626 Shanghai Street (Grade 2), 177 Prince Edward Road West (Grade 3), 179 Prince Edward Road West (Grade 3), 1 and 3 Playing Field Road (Grade 3), 729 Nathan Road (Grade 3), 1235 Canton Road (Grade 3) and 1166 and 1168 Canton Road (Grade 3). The list of declared monuments and graded buildings will be updated from time to time.
- 13.2 On 19 March 2009, the Antiquities Advisory Board (AAB) released the list of 1,444 buildings, and accorded grading to some buildings/structures within the Area. The AAB also released a number of new items pending grading assessment by the AAB.

Details of the list of 1,444 buildings and new items have been uploaded onto the official website of the AAB.

- 13.3 Prior consultation with the AMO should be made, if any works, development, redevelopment or rezoning proposal that may affect declared monuments, proposed monuments, historic buildings and sites graded by the AAB, sites of archaeological interest or Government historic sites identified by AMO, the new items mentioned in paragraph 13.2 above, or any historic buildings/structures identified with historic value, both at grade and underground, and their immediate environs. Information of the declared monuments, proposed monuments, historic buildings and sites graded by the AAB, sites of archaeological interest and Government historic sites identified by AMO are available on the website of AMO.

14. IMPLEMENTATION

- 14.1 Although existing uses non-conforming to the statutory zonings are tolerated, any material change of use and any other development/redevelopment must be always permitted in terms of the Plan or, if permission is required, in accordance with the permission granted by the Board. The Board has published a set of guidelines for the interpretation of existing use in the urban and new town areas. Any person who intends to claim an “existing use right” should refer to the guidelines and will need to provide sufficient evidence to support his claim. The enforcement of the zonings mainly rests with the Buildings Department, the Lands Department (LandsD) and the various licensing authorities.
- 14.2 The Plan provides a broad land use framework within which more detailed non-statutory plans for the Area are prepared by the PlanD. These detailed plans are used as the basis for public works planning and site reservation within the Government. Disposal of sites is undertaken by LandsD. Public works projects are co-ordinated by the Civil Engineering and Development Department in conjunction with the client departments and the works departments, such as the Highways Department and the Architectural Services Department. In the course of implementation of the Plan, the Yau Tsim Mong District Council would also be consulted as appropriate.
- 14.3 Planning applications to the Board will be assessed on individual merits. In general, the Board, in considering the planning applications, will take into account all relevant planning considerations which may include the departmental outline development plans, layout plans and the guidelines published by the Board. The outline development plans and layout plans are available for public inspection at the PlanD. Guidelines published by the Board are available from the Board’s website, the Secretariat of the Board and the Technical Services Division of the PlanD. Application forms and Guidance Notes for planning applications can be downloaded from the Board’s website and are available from the Secretariat of the Board and the Technical Services Division and the relevant District Planning Office of the PlanD. Applications should be supported by such materials as the Board thinks appropriate to enable it to consider the applications.