

NATIONAL CAPITAL COMMISSION COMMISSION DE LA CAPITALE NATIONALE

Proponent's Guide to the NCC's Federal Land Use, Design and Transaction Approval Process

June 2021

Canada



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1. Introduction

The federal approvals team welcomes you, and is here to assist you in developing a successful and compliant project in the National Capital Region.

A compliant application for [federal land use, design and transaction approval](#) demonstrates alignment between your project and the National Capital Commission's (NCC) planning framework, which supports the NCC's mandate under the [National Capital Act](#). In turn, you have the opportunity to become a partner in the building of Canada's Capital, the seat of the Government of Canada and a place for thousands of people to live, work and play. Your project will contribute to enhancing the character and national significance of the Capital and improving the lives of those spending time there.

Originally established as the Ottawa Improvement Commission (1899) and later the Federal District Commission (1927), the NCC is a federal Crown corporation created by Canada's Parliament in 1959 under the *National Capital Act* (1958). With its mandate reaching back over a century, the NCC's mission looks decades ahead to ensure that the planning, development, conservation and improvement of the Capital reflects its significance as Canada's seat of national government. It fulfills this role through the following areas of activity:

- setting the long-term planning directions for federal lands in the National Capital Region;
- guiding and controlling the use and development of federal lands in the National Capital Region;
- managing, conserving and protecting NCC assets (including [Gatineau Park](#), the [Greenbelt](#), riverfront parks, real property, and other assets such as [interprovincial bridges](#), [pathways](#) and [parkways](#)); and
- maintaining heritage sites in the National Capital Region, such as the official residences and national commemorative sites.

Through the *National Capital Act*, the NCC is responsible for coordinating and approving projects proposed by any federal department, or projects on federal lands and buildings in the National Capital Region. The NCC is also responsible for approving the sale of federal lands in the National Capital Region. The NCC's mandate to approve federal land uses, designs and transactions is set out in sections 12 and 12.1 of the *National Capital Act*.

Projects are evaluated in terms of their impact on the National Capital Region from a land use and design excellence perspective, as well as in terms of their potential effects on the natural environment. The NCC evaluates applications based on conformity with relevant legislation, and federal plans, policies and design guidelines.

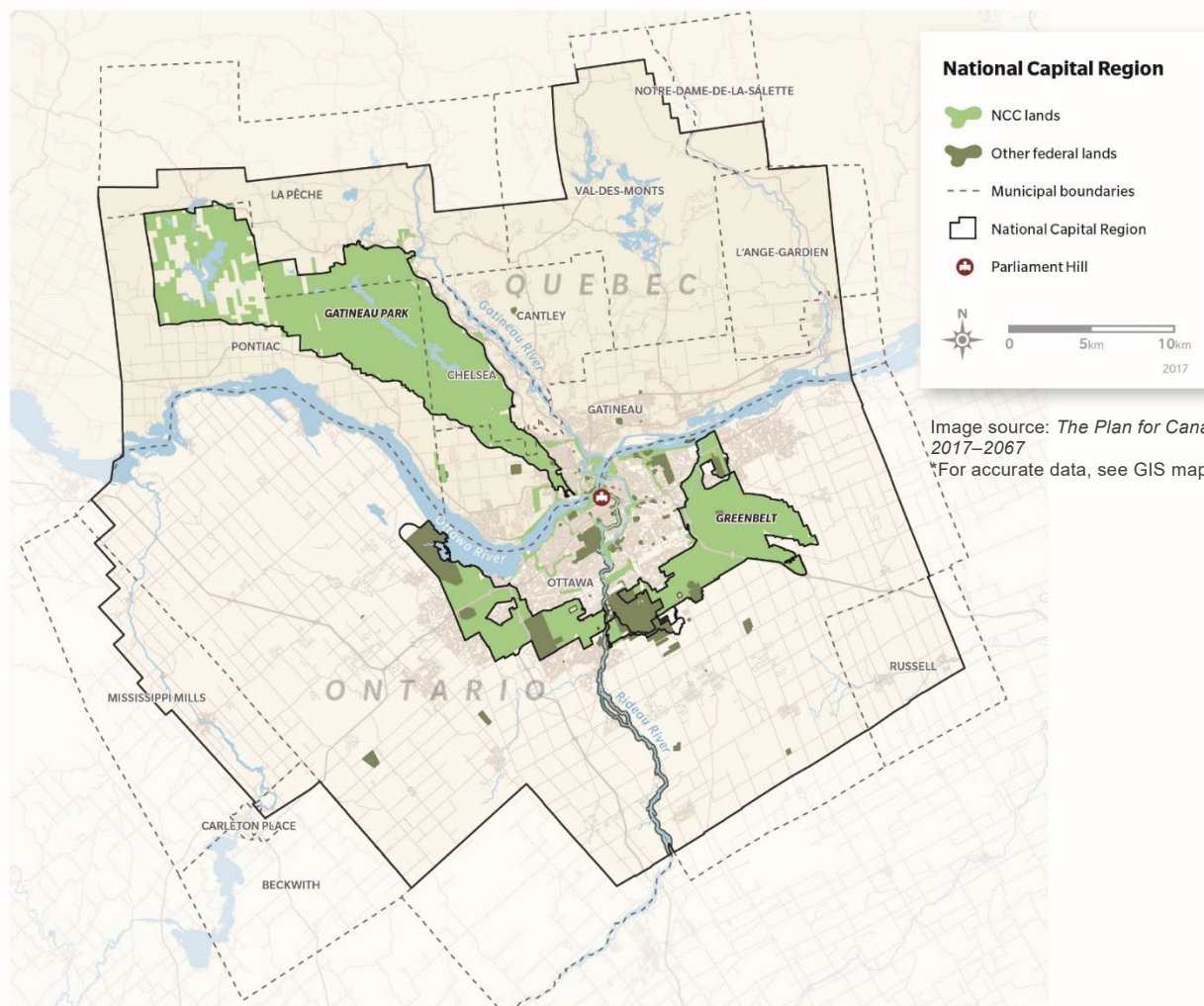
The purpose of this guide is to explain the NCC's land use, design and transaction approval process; how to submit an application; and how applications are evaluated by the NCC.

2. What is the National Capital Region?

The National Capital Region is defined by the 1958 [National Capital Act](#). The region includes lands in Ontario and Quebec, as well as the Ottawa River and Gatineau River, which are under the control and management of the federal government. Figure 1 illustrates the National Capital Region, the lands owned by the NCC and other federal lands.

The NCC is responsible for developing, preserving and improving the National Capital Region as a source of pride for Canadians. To create an exceptional capital, the NCC coordinates the use of all federal lands in the National Capital Region. As the steward of a large and diverse land and asset base, the NCC is committed to preserving, sustaining and managing these assets to enrich the experience of all.

Figure 1: Map of the National Capital Region



3. When is approval required?

Under the *National Capital Act*, the NCC's regulatory federal approval authority requires that all individuals and federal organizations (including the NCC itself) **obtain NCC federal approval before undertaking projects, if**

- the project is located in the National Capital Region; and
- the project affects federal lands and/or federal buildings; or
- the project is on non-federal land, but the proponent is a federal organization.

NCC approval is also required for projects on privately owned land subject to restrictive covenants in favour of the NCC.

Projects that require approval include the following:

- change of land use
- construction, rehabilitation, alteration, extension, or demolition of buildings or structures
- installations, public art, commemorations, monuments and signage
- civil, landscape and infrastructure projects
- sale or transfer of federal property (disposals)
- assignment of long-term control and management of the use and development of federal lands to a non-federal body.

A federal approval is not required for alterations to the interior of a building, unless the alteration is made to accommodate a change in the use of the building.

To initiate the federal approval process, proponents must submit an application for federal land use, design and transaction approval (FLUDTA) as early as possible. To submit a FLUDTA application, click [here](#).

If you have questions about the federal approvals process, please contact us at FApproval@ncc-ccn.ca.

The approval process objectives

The approval responsibilities of the NCC are fundamental to its mandate as the federal planning and coordinating agency within the National Capital Region.

The approval process has the following objectives:

- to coordinate land use, development and other works on federal lands in order to reinforce and positively contribute to the unique character, identity and quality of the Capital “in accordance with its national significance”;
- to ensure that federal properties and buildings are effectively planned and developed to standards and criteria appropriate to their location and context in the Capital;
- to implement federal legislation and NCC approved plans, and other environmental and heritage policies.

In the review of proposals, the NCC takes into account the specific mandate of the proponents, as well as all relevant provincial and municipal legislation and plans.

4. How are projects evaluated?

Projects are evaluated in terms of their impact on the National Capital Region from a land use and design excellence perspective, as well as their potential effects on the natural environment. NCC staff are required to evaluate applications based on conformity with relevant legislation, as well as federal plans, policies and guidelines.

Design excellence

Canada's Capital is the symbolic heart of the country. It is the showcase for the nation's culture, history and values. Planning for a capital city must highlight government and parliamentary functions, and must embrace the aspirations of nation building, belonging, memory, ritual and visual quality. Every effort is made to ensure that the Canadian capital is a distinctive, vibrant and sustainable city. Beautiful, livable cities result from achieving a balance between continuity and innovation. Excellence in urban planning and design is essential to shaping the sense of place, as are the respect for and knowledgeable management of natural and cultural resources. The NCC promotes excellence in the planning and design of federal projects, in accordance with the character and significance of Canada's Capital.

Proponents are encouraged to prepare designs that comply with the NCC's broad planning framework, and to develop those designs in accordance with NCC staff recommendations. NCC staff work with proponents and stakeholders toward achieving mutually satisfactory designs that contribute to the character and national significance of Canada's Capital.

NCC plans

The following plans and policies are used by NCC staff to guide the decision-making process. To obtain copies of these plans, click [here](#).

Plan for Canada's Capital

The overarching planning document is the [Plan for Canada's Capital](#). This is the highest-level document, providing long-term, strategic direction and policies for the use, management and design of federal lands in the Capital. The policies of this plan are reviewed approximately every 10 years.

National Interest Land Mass

The National Interest Land Mass (NILM) identifies lands that are essential to the achievement of the NCC's mandate. Lands identified within the NILM are required to support the symbolism, functions, physical structure, and natural and cultural landscape qualities of the National Capital Region. A NILM designation indicates a formal expression of the federal government's interest in the long-term use of these lands in a manner that supports the National Capital Region. The NILM is a key vehicle for the implementation of the NCC's long-range plans.

The NCC's detailed plans

Detailed plans translate the policies of the Plan for Canada's Capital to specific federal areas or sites. Along with the Plan for Canada's Capital, the following plans are generally reviewed every 10 years.

- **Greenbelt Master Plan:** The [Greenbelt Master Plan](#) describes the purpose of the Greenbelt, its role at a national and regional level, and the role and function of each unique area; and provides direction for their long-term use and development.
- **Gatineau Park Master Plan:** The [Gatineau Park Master Plan](#) guides the use, development and management of Gatineau Park in a way that is compatible with the preservation of the natural ecosystems.
- **Capital Urban Lands Plan:** The [Capital Urban Lands Plan](#) guides the planning, protection and development of urban federal lands in Ottawa and Gatineau.
- **Canada's Capital Core Area Sector Plan:** [Canada's Capital Core Area Sector Plan](#) guides the planning, protection and development of urban federal lands within the downtown cores of Ottawa and Gatineau.
- **Canada's Capital Views Protection:** [Canada's Capital Views Protection](#) was prepared by the NCC in collaboration with the City of Ottawa. This document consolidates the history of views protection in Ottawa, provides insight into the urban design and computer simulation measures used to ensure the visual integrity and symbolic primacy of our national symbols, and illustrates the practical application of these measures in a number of significant Capital projects.
- **Ottawa River North Shore Parklands Plan:** The [Ottawa River North Shore Parklands Plan](#) guides land use, protection and development on federal riverfront lands in accordance with the site's carrying capacity to secure the long-term resilience of the shoreline.

- **Ottawa River South Shore Riverfront Park Plan:** The [Ottawa River South Shore Riverfront Park Plan](#) provides the framework for land use, protection and development of the riverfront lands, and unifies the riverfront by integrating visions of ecological integrity, environmental health, recreational diversity and cultural vitality.
- **Other plans, documents and guidelines:** The NCC's planning framework includes other reference documents, such as the Ottawa River Integrated Development Plan, [Capital Pathway Strategic Plan](#), [Sustainable Development Strategy](#), [Confederation Boulevard Design Guidelines](#), [Capital Illumination Plan](#).

NCC design guidelines

The NCC's design guidelines are meant to encourage thoughtful, sensitive and creative design in Capital building. They are a tool to assist proponents in the federal land use and design approval process, by identifying the design principles that are consistent with Capital plans and that reflect the NCC's steadfast commitment to design excellence. The design guidelines are an invitation for dialogue between the NCC and the proponent. They are meant to ensure that the NCC's expectations are communicated as early as possible to the proponent. The guidelines are not a manual, and are not intended to prescribe solutions. They are intended to be a reference guide to good practice, in order to enrich the National Capital Region's public realm, and improve federal lands that belong to all Canadians.

The guidelines cover several major themes, including the following:

- heritage conservation
- landscape and urban design
- building design
- illumination
- views protection
- sustainability
- infrastructure and support systems
- signage

To obtain copies of these guidelines, [click here](#).

Impact Assessment Act

The [Impact Assessment Act](#) (IAA) is an important decision-making tool for projects on federal lands which aims to avoid and/or minimize impacts to the environment, and to promote environmental compliance with other acts and regulations. The IAA has been in force since fall 2019, replacing the *Canadian Environmental Assessment Act*, 2012 (CEAA 2012).

The NCC must ensure compliance with sections 81 to 91 of the IAA as a prerequisite for the issuance of any federal approval that would enable a project to proceed. Under the IAA provisions, all proponents must submit the relevant project information to the NCC's Environmental Services for review and "determination of adverse environmental effects."

Section 81

"Project" means a physical activity that is carried out on federal lands or outside Canada in relation to a physical work and that is not a designated project [...]

Section 82

An authority must not carry out a project on federal lands, exercise any power or perform any duty or function conferred on it under any Act of Parliament other than this Act that could permit a project to be carried out, in whole or in part, on federal lands or provide financial assistance to any person for the purpose of enabling that project to be carried out, in whole or in part, on federal lands, unless

- (a) the authority determines that the carrying out of the project is not likely to cause significant adverse environmental effects [...]

Under the *Impact Assessment Act*, environmental effects are "changes to the environment and the impact of these changes on the Indigenous peoples [in] Canada and on health, social or economic conditions." The NCC therefore considers potential impacts on both the biophysical and socio-economic environment, including how a project may affect the following.

- Natural resources: species at risk, wildlife, trees, plants, soil, air, groundwater and surface water
- Cultural resources: any structure, site, or thing(s) of historical, archaeological, paleontological or architectural significance
- Social conditions: community well-being, infrastructure and services, land and resource use, and recreational experience
- Economic conditions: effects to industry or livelihood (e.g. forestry, tourism, agriculture, fishing, hunting, trapping)
- Human health: effects resulting from noise, vibration, air emissions, lighting, spills, exposure to hazardous substances
- Indigenous rights: physical and cultural heritage, use of lands and resources for traditional purposes, or anything of historical, archaeological, paleontological or architectural significance to Indigenous peoples

In addition to the potential environmental effects and applicable legislation that must be considered in the determination, the factors below must also be considered in determining if the environmental effects of the project are significant.

Section 84

An authority's determination regarding whether the carrying out of the project is likely to cause significant adverse environmental effects must be based on a consideration of the following factors:

- (a) any adverse impact that the project may have on the rights of the Indigenous peoples [in] Canada recognized and affirmed by section 35 of the *Constitution Act*, 1982;
- (b) Indigenous knowledge provided with respect to the project;
- (c) community knowledge provided with respect to the project;
- (d) comments received from the public via the Public Registry; and
- (e) the mitigation measures that are technically and economically feasible and that would mitigate any significant adverse environmental effects of the project that the authority is satisfied will be implemented.

As part of the formal application, the proponent must complete the required analysis for the "determination of adverse environmental effects" to assess the level of risk and potential for significant adverse environmental effects associated with the project, as well as corresponding mitigation measures, for NCC review and determination. The NCC will provide guidance that lays out the requirements, including any site-specific information and advice from its internal experts. In order to support that environmental determination, site studies may be required.

Most projects also now require a minimum 30-day posting on a public registry, the [Canadian Impact Assessment Registry](#). The NCC Environmental Officer will inform the proponents whether or not a project is subject to Public Registry posting as soon as all relevant information is received, obtain all relevant project information, post on the Public Registry, and provide comments and recommendations to the proponents regarding the outcome of the posting, which may include public interests and interests from other organizations.

Section 86

Before making a determination under section 82, an authority must post on the Public Registry a notice that indicates that it intends to make such a determination and that invites the public to provide comments respecting that determination.

No sooner than 30 days after the day on which it posts the notice of intent, the authority must post on the IAA Public Registry a notice of its determination, including any mitigation measures that were taken into account in making the determination.

Conservation of federal heritage buildings and sites

Heritage conservation and responsible management of heritage assets are core to the NCC's mandate under the *National Capital Act* and under the *Impact Assessment Act*. The protection, conservation and stewardship of heritage resources are also at the foundation of the [Plan for Canada's Capital \(2017–2067\)](#), and the NCC Capital planning framework through its sector plans.

According to the Standards and Guidelines for the Conservation of Historic Places in Canada, heritage value is defined as the “aesthetic, historic, scientific, cultural, social and spiritual importance or significance for past, present and future generations.” This document defines a “conservation decision-making process” that is fundamental to the NCC's own heritage management framework and informs the federal approvals process:

- understanding the values of the heritage place and its character-defining elements;
- planning how these values and elements will be conserved in a project, integrating other project goals;
- intervening based on the knowledge and approach outlined in the first two phases, using an approach that may include preservation, rehabilitation or restoration (or a combination).



NCC Responsibilities

The NCC's responsibilities and accountabilities regarding heritage are determined by its mandate and role, which is slightly different for internal and external projects. For internal projects, the NCC is the custodian, as well as the planning agency and approval authority. For external projects, the NCC is the planning and approval authority, but not the custodian.

As a custodian, the NCC's mandate is to ensure the responsible management of tangible and intangible heritage assets (buildings, structures, landscapes, artifacts,

furniture, art, archaeological resources and documents, as well as traditions, protocols, historic associations and uses). Our goal is to lead by example in the planning and stewardship of heritage places, based on a meaningful, inclusive understanding of heritage values, supported by technical analyses and conservation expertise.

As a planning agency, the NCC's mandate is to provide policy direction and a planning framework to all federal departments and agencies in the National Capital Region, including the NCC itself, for the responsible planning and management of heritage assets. This function is delivered in collaboration with the Parks Canada Agency, especially the [Federal Heritage Buildings Review Office](#) (FHBRO).

As an approval authority, the NCC has a mandate to promote and ensure the reconciliation of heritage policies and plans with the execution of projects on federal lands or by federal departments in the National Capital Region (including NCC and external projects). The NCC federal approvals function oversees and holds proponents accountable to their obligations regarding responsible stewardship of heritage resources in the design and execution of works. This responsibility is exercised with the support of the FHBRO, which has a review authority, but not an approval authority.

The Treasury Board [Policy on Management of Real Property](#) (2006) requires departments to obtain the advice of the FHBRO regarding potential heritage designation and subsequent protection of buildings under their custody. The FHBRO committee evaluates buildings 40 years of age and older, and recommends a designation of either "classified," "recognized" or "not designated."

If conducting work on a building, the NCC will request information about the age of the building. If the building is 40 years of age or older, a copy of the FHBRO building evaluation report will need to be obtained by the proponent. The heritage character statements for designated buildings can be accessed from the [Canadian Register of Historic Places on Canada's Historic Places website](#).

Where an addition, renovation, demolition or disposal is proposed for a classified building, a report on the proposed works must be submitted and reviewed by the FHBRO. The same applies for demolition or disposal proposals for recognized buildings. If this is required as part of the FLUDTA application, the proponent will be notified during the pre-consultation meeting, and NCC staff will advise on the appropriate next steps.

Archaeological resources

Archaeological resources are considered to be an integral part of the region's heritage, and must be taken into account in the planning phase of projects.

These resources may either be pre-contact in nature, consisting of the physical evidence of land use and occupation by Indigenous peoples prior to the arrival of Europeans, or relate to the history of settlement and occupation of the region by Euro-Canadians. Archaeological resources are non-renewable, and are protected in federal jurisdictions by the Government of Canada's [Impact Assessment Act](#) and an array of federal policies, including the Treasury Board Policy on [Management of Real Property](#) and the [Policy on Management of Material](#) (2006).

Additionally, the NCC works closely with the Kitigan Zibi Anishinabeg and Algonquins of Pikwakanagan First Nation through its Protocol for the Co-Management of Archaeological Resources (2017).

When archaeological resources have been previously recorded on a site, or where they may potentially exist, as identified by the NCC or by other organizations, the NCC will ensure that proponents take appropriate precautions to protect, preserve and manage these resources.

The proponent will be notified during the pre-consultation meeting if their proposal is located on lands that have been identified as having archaeological potential, and the appropriate next steps.

These may include a desktop archaeological overview of the project area, a field inventory of the area and, depending on the results, an archaeological rescue excavation or monitoring of project excavation work.

Other federal policies or interests

The NCC must take into account other federal policies, programs or guidelines, such as the [Federal Policy on Wetland Conservation](#). It must also consult other federal agencies that may have an interest in a particular project.

Municipal authorities

It is the proponent's responsibility to consult with the relevant municipal authorities to determine whether or not the proposal conforms to local plans, policies and regulations, and will meet any obligations.

Property impacts

When reviewing applications for the use of its lands, the NCC will identify whether or not the proponent will be required to obtain easements, leases or land access permits as identified by the NCC.

Stakeholder engagement and consultations

The NCC encourages proponents to communicate their project to affected or relevant stakeholders, including the public and Indigenous communities, as well as interest groups, at the earliest opportunity and throughout the process. Proponents may be subject to specific consultation requirements under federal, provincial or municipal jurisdiction. It is the proponent's responsibility to plan and carry out the applicable consultations with sufficient time to inform plans and projects.

5. How does the approval process work?

The FLUDTA process ensures that projects on federal lands and projects by federal organizations (including the NCC) contribute to the Capital's being a source of pride for Canadians.

The project levels

The NCC evaluates FLUDTA applications according to three project levels. A project level, ranging from level 1 (simplest) to level 3 (most complex), is assigned to each proposal based on the project's potential impact to the nature, character and significance of the national capital as the seat of government.

Three project levels

Level 1: Simple projects, with minor impacts to the nature, character and significance of the national capital

Level 2: Moderately complex projects, with medium impacts to the nature, character and significance of the national capital

Level 3: Major projects, with high impacts to the nature, character and significance of the national capital

Factors that contribute to determining a project's level include the following:

- location of the proposed project site (the core area of the National Capital Region is the most sensitive from a Capital perspective)
- symbolic importance (national institutions, and projects located along Confederation Boulevard and scenic entry routes are the most symbolic from a Capital perspective)
- nature, size and complexity of the proposed project (project scope)
- anticipated complexity of requirements (federal, provincial, municipal, local level)
- environmental, heritage and archaeological implications
- number and type of stakeholders involved
- governance, consultation and engagement requirements.

Figure 2: Map of Confederation Boulevard



Image source: *The Plan for Canada's Capital, 2017–2067*

The table below summarizes the three project levels for FLUDTA projects.

	Level 1	Level 2	Level 3
General definition	Simple projects, with minor impacts to the nature, character and significance of the national capital	Moderately complex projects, with medium impacts to the nature, character and significance of the national capital	Major projects, with high impacts to the nature, character and significance of the national capital
Examples of development and construction projects	<ul style="list-style-type: none"> • Temporary projects (less than one year) • Minor improvements to existing buildings outside the core area • Signs outside the core area • Road/wayfinding signs • Replacement and/or maintenance of existing public works and infrastructure • Projects not involving a federally designated building or site • Projects exempt from an environmental assessment • Easements 	<ul style="list-style-type: none"> • New buildings and major improvements to existing buildings • Minor improvements to existing buildings inside the core area • Official residences, except those located on Confederation Boulevard • Signs in the core area • Minor public works and infrastructure • Projects involving a federally designated building or site • Projects requiring an environmental assessment • Minor commemorations and public art 	<ul style="list-style-type: none"> • Projects located on Confederation Boulevard • National institutions • Federal department or agency headquarters • Major public works and infrastructure (airport, interprovincial crossing, etc.) • Projects with an impact on protected views • Purchase or disposal of NILM lands • Projects involving a federally designated building or site • Projects requiring an environmental assessment • Major commemorations and public art
Examples of planning projects	<ul style="list-style-type: none"> • No plans are approved at this level 	<ul style="list-style-type: none"> • Site master plans outside the core area and not involving NILM lands 	<ul style="list-style-type: none"> • Plan for Canada's Capital, master plans, sector plans and area plans located within the core area or involving NILM lands

* See map of NILM lands within the National Capital Region.

The review and approval process: General description

Projects subject to NCC review and approval are submitted by proponents, and analyzed by NCC staff before consideration by the NCC board of directors. NCC staff know exactly how to help proponents make their proposals successful and compliant, and will be available throughout the project development to provide expert advice and guidance to proponents and their teams.

Typically, the NCC review and approval process (FLUDTA process) has four stages, as shown in the diagram below. Each stage provides NCC staff with increasingly detailed information as the project develops.

Typical Project and NCC Process Stages



The brown band on top shows a generic project development process from pre-planning to close-out. The FLUDTA process shown in the blue band, mirrors the project stages with defined gates.

The first gate is the proponent's **online application**, upon which the **initiation** stage begins. During this period, the NCC will determine the project level and the submission requirements, as well as the consultation requirements, including consultation with NCC staff; [NCC committees](#); other federal, provincial and municipal organizations; public engagement; Indigenous engagement; interest groups; or other stakeholders.

The second gate is the **pre-consultation** meeting. At this meeting, NCC staff will further refine the review and approval process in collaboration with the proponent to adapt it to the specific project stages, timelines and governance to the extent possible. NCC staff will delineate the NCC submission requirements, and clarify the respective responsibilities, accountabilities and next steps for both the proponent and the NCC.

During the **consultation** period, NCC staff will meet regularly with the proponent and their team as required, to provide guidance on the process, and expert feedback and advice in the planning and design development of the project, in compliance with the

NCC's planning framework. Either side can initiate a meeting. NCC staff will also guide proponents in preparing presentations to [NCC committees](#), if and as required.

A **complete federal approval application** is required by the NCC at the end of the consultation period to initiate the **review and approval** period. A complete federal approval application requires the submission of all the documents identified by the NCC as submission requirements (studies, plans and documents) addressing the recommendations made by NCC staff during the consultation period. Payment of the applicable service fee is also required for a complete application.

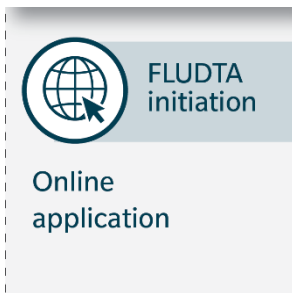
NCC staff will prepare a report with a recommendation for approval to the NCC board of directors for each project. For level 1 and level 2 projects, the approval is executed electronically (by e-vote) on a weekly basis. For level 3 projects, this stage requires a presentation delivered by NCC staff to the NCC board of directors at one of the scheduled public meetings.

Once an approval is granted by the NCC board of directors, an **approval letter** (FLUDTA letter), including the terms and conditions of the approval, will be prepared by NCC staff. These terms and conditions may include impact mitigation measures that must be implemented prior to or during the execution of construction work. It will be the responsibility of the proponent to fulfill the conditions and to implement any mitigation measures identified. The FLUDTA letter is the gate that enables the proponent to start construction. However, where third-party lands are required for construction, the proponent is responsible to obtain authorization — usually through a form of real estate transaction — to access and use the lands.

NCC staff will follow up on the implementation of the approval conditions, during the **monitoring** period. This process may include project audit and site visits. NCC staff will communicate with the proponent prior to any site visit and the implementation of any corrective measures that may apply.

The NCC review and approval process is complete at **substantial completion of project**.

The process timelines



15 business days



The duration of the consultation period is entirely driven by the proponent, and largely depends on the complexity of the specific project. NCC staff will assist proponents during this period to make informed decisions that best serve the project priorities and schedule with transparent requirements and predictable outcomes.



The duration of the review and approval period is entirely driven by the NCC, and largely depends on the project level.

Level 1: Typically four to six weeks

Level 2: Typically two to four months

Level 3: Typically eight months or longer

We encourage proponents to notify the NCC of any project changes (scope, quality, schedule, governance and so on) as soon as possible. In the event of a change in project scope, a revised list of submission documents may be required, affecting the duration of the consultation period. If no activity is registered for a period of six months, the approval application may be cancelled, and the proponent will be notified in writing.

The review and approval process for complex projects

Complex projects are defined by three or more of the following characteristics: large number of stakeholders requiring specific governance and organized communications, important heritage components, multi-disciplinary consulting team, interrelated dependencies with other projects or programs, alternative forms of delivery or approvals required from central authorities (such as Treasury Board, or a board of directors or equivalent in the private sector).

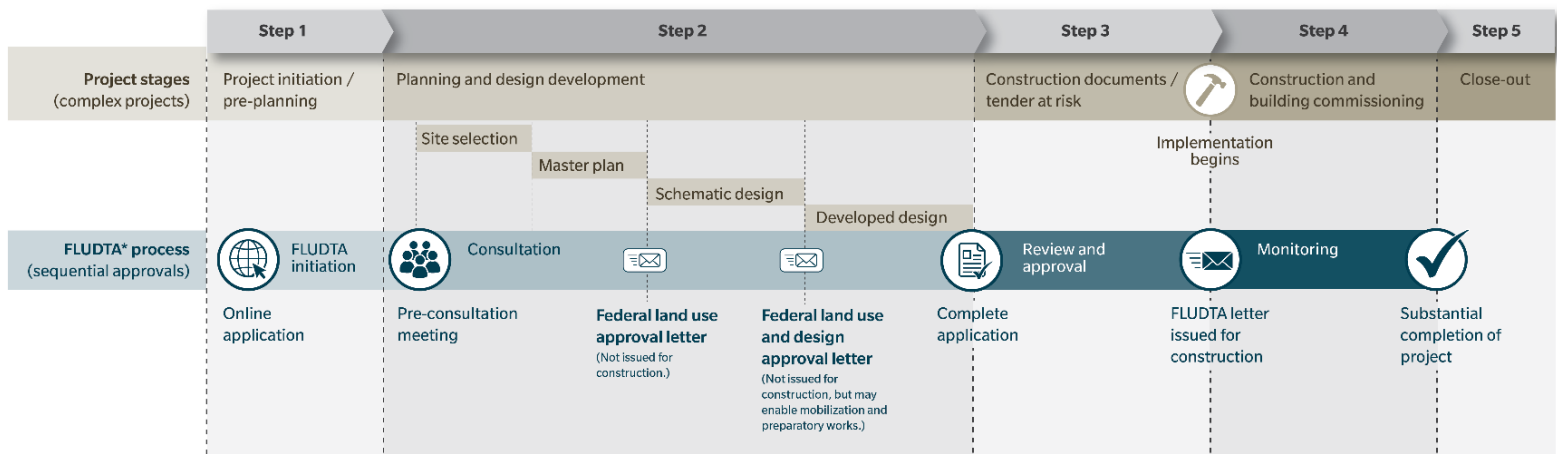
For complex projects, the consultation stage can include early federal approvals in a sequential order that confirm the progress of the project in conformity with the NCC's planning framework, substantially reducing project and procurement risk to the proponent.

This sequential approval process can be adjusted to align with specific project and expenditure approval gates, further supporting the overall project schedule and submissions to central agencies by the proponent.

If applicable, a federal land use approval is granted at the end of site selection to confirm the land use, or at the completion of the master plan phase to confirm site development and urban design proposal. A federal land use and design approval can also be granted at the completion of the schematic design phase (100%SD).

These early approvals may enable site mobilization and early preparatory works, but the project execution (or the start of construction) is approved at the end of the developed design phase (100%DD).

Complex Project and NCC Process Stages



6. The review and approval process step by step

INITIATION STAGE:



Online
application

Proponent submits a step 1 application form online

A [step 1 application](#) form is submitted by the proponent online. This application requires contact information, including the proponent, the landowner and the billing contact; project information, including a written description of the proposed project scope, details of the type of intervention; and available background documents, such as plans and drawings that can be uploaded online.

A federal approvals representative will contact the proponent within 15 business days to organize a pre-consultation meeting.

The federal approvals representative assigned to the project will lead the review and approval process on behalf of the NCC, and will be the proponent's primary point of contact throughout the process (one-window approach).



Pre-consultation
meeting

Pre-consultation meeting

A pre-consultation meeting is organized by the federal approvals representative with the proponent and their team. During this meeting, NCC staff confirm project information and assumptions, and delineate the review and approval process and timelines according to the project level and complexity. Preliminary planning and design advice, as well as submission requirements and timelines, are also provided by NCC staff at this time.

Confirmation of submission requirements is sent to the proponent

The federal approvals representative sends the proponent a written description of submission requirements (studies, documents, plans, environmental assessment and so on) and consultation requirements that may apply (NCC staff; [NCC committees](#); federal, provincial and municipal organizations; public engagement; Indigenous engagement; interest groups; or other stakeholders).

The submission requirements contain the project information required by NCC staff to review the proposal before consideration by the NCC board of directors.

Service fee billing

The NCC bills the proponent for the federal review service according to the project level, unless the project is exempt.

CONSULTATION STAGE

The proponent and their team (if applicable) meet regularly with the federal approvals representative and other stakeholders, as required to review increasingly detailed information as the project develops. Consultations with relevant groups and committees as identified by the NCC in the submission requirements take place during this period informing decision making related to project planning and design.

The federal approvals representative guides the proponent in the reconciliation of requirements leading to a complete and compliant application. The proponent is in control of the project's progress and timelines.

Complex projects may be granted sequential approvals at specific milestones such as completion of the master plan or schematic design. These approvals are not for construction, but may enable mobilization and preparatory works, provided that the environmental determination for these works has been completed.



Complete
application

Proponent submits a complete application

The proponent submits all the documents identified by the NCC as submission requirements (studies, plans and documents) addressing the comments and advice provided by NCC staff during the consultation period.

Full payment of the FLUDTA service fee is also required by this time.

The federal approvals representative sends the proponent a written confirmation that the application is complete.

REVIEW AND APPROVAL STAGE

NCC staff complete the review of the project, and prepare a report with a recommendation for approval by the NCC board of directors. The federal approvals representative will contact the proponent if there is a need for clarification or supplementary information.

The NCC board of directors considers and approves projects on the recommendation of NCC staff. For level 1 and level 2 projects, the approval is executed electronically (by e-vote) on a weekly basis. For level 3 projects, this stage requires a presentation delivered by NCC staff to the NCC board of directors at one of its scheduled public meetings.



FLUDTA letter
issued for
construction

Letter of approval is issued by the NCC

Once the NCC board of directors approves a project, NCC staff will prepare an **approval letter** (FLUDTA letter) including the terms and conditions of the approval. These terms and conditions may include mitigation measures that must be implemented prior to or during the execution of construction work. It will be the responsibility of the proponent to fulfill the conditions and to implement any mitigation measures identified. The FLUDTA letter is the gate that enables the proponent to start construction. However, where third-party lands are required for construction, the proponent is responsible to obtain authorization — usually through a form of real estate transaction — to access and use the lands.

NCC staff send the approval letter to the proponent and copies of it to relevant stakeholders, as appropriate.

Proponent feedback

NCC staff may seek proponent feedback on the approval process through a short and confidential survey.

The proponent's participation is important to help identify how the NCC's federal approval service can be improved. Survey results are reported in aggregate form, and the proponent's personal information is not disclosed.

MONITORING STAGE

The federal approvals representative follows up on the implementation of the approval conditions during the construction period. This process may include project audit and site visits.

The federal approvals representative will communicate with the proponent prior to any site visit and if any corrective measures are required.



Substantial
completion of
project

Completion of federal approval process

The NCC review and approval process is complete at substantial completion of the project.

The proponent submits a signed notification to the NCC that the project has reached substantial completion and that all the conditions of the federal approval have been met.

The federal approvals representative closes the project's file.

If you are uncertain about the requirements of the pre-application form, you are strongly encouraged to contact the NCC.

Contact us

For more information about the FLUDTA process, or how to submit your application, please contact the NCC at FApproval@ncc-ccn.ca.

OR

Isabel Barrios
Director, Federal Approvals, Heritage and Archaeology Programs
National Capital Commission
202–40 Elgin Street
Ottawa ON K1P 1C7
Tel.: 613-239-5678, ext. 5625