
**INFORMATION SHEET
FOR ACCESS TO HIGHWAY PERMIT**

A permit is required for the construction of new, or modification of an existing access from or to a controlled highway *(i.e.: maintained by YG forces).

NOTE: Work may not proceed until a Permit has been issued by the Transportation Maintenance Branch, Department of Highways and Public Works.

PLEASE READ THE FOLLOWING INSTRUCTIONS AND DESCRIPTION OF THE PROCESS BEFORE COMPLETING THE FORM:

1. Residential or Agricultural Accesses:

1. Contact the local Road Maintenance Foreman during normal working hours and arrange for a joint site visit. The Foreman will complete a separate internal evaluation at that time.
2. The following are required, and may be submitted to the local Road Foreman at the site visit. *The application process can not start without these documents,*
 - Completed application form signed by applicant.
 - Copy of Proof of Ownership (Land Title, Property Tax Assessment etc), or Land Tenure (Lease Agreement, Land Use Permit etc.) with written authorization to access property.
 - Plan showing the property limits, and a map (scale 1:50,000), and air photo or detailed sketch indicating the location, including kilometer location on the Highway.
 - \$100.00 Application Fee (*Cheques payable to Government of Yukon*).
3. The application process can take up to 4 to 6 weeks to complete. In cases of questionable visibility, a survey crew may be required to ensure established safety criteria can be met.

2. Commercial / Multi-Residential & Resource Accesses:

1. The approval process for Commercial or Multi-residential and Resource accesses are more complex and generally take more then 6 weeks to complete. Applications for these types of accesses should be submitted in Whitehorse at: Maintenance & Planning, Transportation Maintenance, 9029 Quartz Rd, Bldg. 275

In addition to the documents listed above these applications require the following:

- **Commercial:** Business Plan, Construction Schedule, Sketch of Proposed Facility. Additional information that may be requested include hours of operation, operating season, expected number of visitors, and proposed signage.

- **Multi-residential:** Usually requires design by Professional Engineer and includes proposed subdivision plan, traffic analysis, highway or local road upgrade, YESAA screening and Land Use permissions.
- **Resource:** i.e.: Timber / Mining / Exploration accesses. Typically requires estimated traffic volumes and proposes vehicle configurations, proposed schedule and whether it will be a seasonal use access. Some projects may require YESAA and or First Nation consultation.

3. Additional Information:

1. If the applicant is required to provide further information, documentation or prep work before permit can be approved, applicant will have up to 6 months to comply or their application will become null and void. If circumstances warrant, the applicant may request, in writing, an extension.
2. The applicant should be aware that Highways and public Works approval is limited to land designated as Highway Right-of-way only. Separate Land Use approvals may be required if the access route encompasses other land under the jurisdiction of the Commissioner of the Yukon, Federal, or First Nation Land.
3. Once the permit has been approved, applicant will be notified to read and sign the conditions. Copies of the permit are then forwarded to the applicant and work may proceed. If the access is denied, the Applicant will be notified.
4. Insurance is a requirement for work in a highway right-of-way. It will be the applicant's responsibility to ensure that any Contractor hired to construct the access provides a copy of Liability Insurance, \$2 Million, naming the Government of Yukon as "*Additional Insured*" on the Insurance Policy. Proof of insurance must be provided to the Transportation Maintenance Branch prior to the work.

4. The following General Conditions will form a part of the approved permit, additional conditions may be imposed depending on the individual scenario:

1. The access shall be located and built in accordance with the attached Departmental standards with strong consideration given to the appearance of the highway corridor. Every attempt must be made to limit disturbance to the natural environment.
2. An access permit does not imply that direct access to the highway shall be available at all times. Realignment of the highway or the provision of alternate access by way of a frontage or service road in the future may necessitate cutting off the direct access to the highway, and the permittee shall have no claim against the Government of Yukon arising out of such change.
3. Maintenance of the access is the responsibility of the applicant. This encompasses an access as beginning from the shoulder of the road being accessed.
4. It may be necessary to relocate the access to enable improvements to be made to the highway.
5. The cost of relocation or adjustment of electrical or communication utilities or a pipeline of any sort shall be borne by the applicant.
6. Any crossing beneath an overhead utility line shall have, at a minimum; the clearance required in the Canadian Electrical code and shall be approved by the appropriate utility authority.

7. Permission to have an access to the highway does not in any way give the applicant any right, interest, estate, or easement over the land on which the access is to be built. The permission is a privilege and not a right and the Government of Yukon reserves the right to withhold or remove the permission at any time without any compensation to the applicant.
8. An access permit does not excuse violation of any regulation, bylaw, or act, which may affect this project.
9. An access permit approves only the development contained herein; a further application is required for any changes or additions.
10. The applicant may have Government of Yukon Maintenance forces construct the access under third party charges or the applicant may elect to construct the access using his own forces. If the applicant decides to construct the access using his own forces, he must construct the access as per the standard conditions and standard design and a copy of Insurance as per (12(d)).
11. The design standard for the requested type of access is attached to this permit.
12. All costs involved with construction of any access will be borne by the developer, including the supply and installation of culverts. The Developer shall ensure that:
 - a. the safety, economy, and convenience of the traveling public is recognized at all times and all traffic control is undertaken by the permittee to the satisfaction of the Director, Transportation Maintenance Branch;
 - b. where the said works are in the proximity of any bridge, culvert, ditch, or other existing work, such work shall be properly maintained and supported in such a manner as to not interfere with its proper function. Upon the completion of the said works, any bridge, culvert, ditch, or other existing work interfered with shall be completely restored to its original condition;
 - c. the permittee shall, at all times, accept full responsibility for any accident that may occur, or damage that may be done to any person or property whatsoever, caused directly or indirectly by the said works, and shall save harmless and keep indemnified the Department from all claims and demands whatsoever in respect of the works;
 - d. Insurance is a requirement for work in a highway right-of-way. A copy of Liability Insurance, from the Contractor, in the amount of \$2 Million, naming the Government of Yukon as "*Additional Insured*" on the Insurance Policy, must be provided to the Transportation Maintenance Branch prior approval for the work.
 - e. prior to proceeding with any excavation, the permittee will be responsible for notifying any utility company whose installation may be close to or affected by the work;
 - f. during construction, any mud, soil, debris, or other foreign material tracked onto the highway from the access (or accesses) shall be removed by the permittee at his expense, at least daily, or at any time the material unduly inconveniences traffic;
 - g. the access is built in accordance with the attached standard. Any change without prior consent in writing from the Director, Transportation Maintenance Branch, shall render the permit void and will result in immediate removal or alterations at the applicant's expense;

- h. the access (or accesses) shall be graveled to an extent satisfactory to the Director, Transportation Maintenance Branch;
 - i. the applicant is to conform to all Territorial and Federal regulations.
 - j. the applicant is to obtain all associated permits, land use, burning, and any other permits required.
13. An access road constructed by the applicant must pass a final inspection by the Road Foreman to ensure the standard conditions and design standard have been met. The applicant must inform the Road Foreman when the access is completed.
- a) If the constructed access is rejected the applicant will then be informed in writing of the work necessary to correct the access road deficiencies. The applicant will have 60 calendar days to correct the deficiencies or Highway Maintenance will proceed as in section 13(b).
 - b) If the applicant does not comply with section 13 or 13(a), Maintenance forces may remove any material deposited on the right-of-way by the applicant. The applicant will be charged all associated costs with the removal of this material. If the applicant fails to comply, after notification, the Foreman also has the option to correct the accesses deficiencies and charge the applicant third party rates for work performed.
 - c) If the applicant replies with a plan of action, which does not meet with the approval of the Road Foreman, he will be informed in writing that the access will be dealt with as per item 13(b).
14. If the permit is for a temporary access, the access shall be removed and the area restored to its original condition by the expiry date shown on the permit at the applicant's expense.
15. The permit will become null and void if the access has not been constructed within 12 months of the permit issue, or if the constructed access has not passed inspection by Transportation Maintenance and the necessary corrections have not been completed.
16. Access Road is subject to future relocation if necessary due to development of gravel/borrow pit.
17. The applicant shall be aware that buried utility lines may exist in the right of way. It is the applicant's responsibility to have these lines located and marked. The Yukon Government will not be held responsible for any damage done to any utility caused by work done under this permit.