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W. Thomas Barlow
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June 19, 2006

The Town of Markham
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Sheila Birrell, Town Clerk

Dear Ms. Birrell:

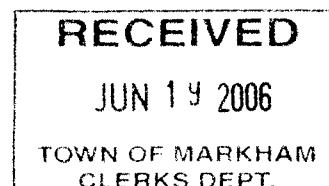
**Re: Notice of Objection
Ontario Heritage Act
Re: 6278 19th Avenue, Town of Markham**

Enclosed is a Notice of Objection which is being served upon you pursuant to the Ontario Heritage Act.

Yours truly,

A handwritten signature in cursive script, appearing to read 'W. Thomas Barlow', written over a horizontal line.

W. Thomas Barlow



Vancouver

Calgary

Toronto

Montréal

Quebec City

New York

London

Johannesburg

IN THE MATTER OF the Ontario Heritage Act, R.S.O. 1990,
Chapter O.18, as amended (the “Act”);

AND IN THE MATTER OF the lands and premises known
municipally as 6278 19th Avenue, Town of Markham, in the
Province of Ontario

NOTICE OF OBJECTION

TO: The Town of Markham
101 Town Centre Boulevard
Markham, Ontario
L3R 9W3

Attention: Sheila Birrell, Town Clerk

Arbor Memorial Services Inc. and Memorial Gardens Canada Limited (the “owner”) hereby object to the designation of the John Ramer House and Barn, including the land and building known municipally as 6278 19th Avenue Markham, as a property of architectural and/or historic interest or value under Part IV of the Act.

REASONS FOR OBJECTION AND RELEVANT FACTS:

- (1) The report and the statement with the Notice of Intention to Designate explaining the cultural heritage value or interest of the property and describing the heritage attributes of the property are inadequate;
- (2) The property does not meet the criteria for determining whether the property is of cultural heritage value or interest prescribed under the Act;
- (3) In the alternative, the John Ramer Barn does not meet the criteria for determining whether the property is of cultural heritage value or interest prescribed under the Act;
- (4) In the further alternative, the John Ramer House does not meet the criteria for determining whether the property is of cultural heritage value or interest prescribed under the Act;
- (5) Heritage staff and Heritage Markham recommended the designation of the property “because there are no immediate development plans for the subject agricultural property”;
- (6) On the contrary:
 - (a) the owner acquired subject agricultural property for the purpose of developing a cemetery and related uses;
 - (b) the owner has plans for the development of the subject agricultural property for a cemetery and related uses; and,
 - (c) the Town of Markham was advised of Arbor’s development plans.
- (7) The structures recommended for designation cannot be integrated into Arbor’s development plans;
- (8) The structures recommended for designation have no design value or physical value because:
 - (a) they are derelict, dangerous, dilapidated and unsafe;

- (b) they are not functional and lack structural integrity;
 - (c) any design value or physical value which they may have had, if any, has been lost prior to the Owner's purchase of the property;
 - (d) they have been extensively, detrimentally and fundamentally altered and compromised prior to the Owner's purchase of the property;
 - (e) there is no adequate evidence that they are rare, unique, representative or early examples of a style, type, expression, material or construction method;
 - (f) they do not display a high degree of craftsmanship or artistic merit in their present condition or at all;
 - (g) they do not demonstrate a high degree of technical or scientific achievement;
- (9) The structures recommended for designation do not have historical value or associative value because there is no evidence or sufficient proof that:
- (a) they have direct association with any theme, event, belief, person, activity, organization or institution that is significant to the community;
 - (b) they yield or have the potential to yield information that contributes to an understanding of a community or culture;
 - (c) they demonstrate or reflect the work or ideas of an architect, artist, builder, designer or theorist who is significant to the community;
- (10) The structures recommended for designation do not have contextual value because there is no evidence or sufficient proof that:
- (a) they are important in defining, maintaining, or supporting the character of an area;
 - (b) they are physically, functionally, visually, or historically linked to their surroundings;
 - (c) they are a landmark.
- (11) Designation is prejudicial to the owner and not necessary or desirable in the public interest;
- (12) Such further and other reasons and relevant facts as the Board may be advised and permit.

ARBOR MEMORIAL SERVICES INC. and
MEMORIAL GARDENS CANADA LIMITED

By Their Solicitors:

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