

Bruce Pearce.  
# 47

Honorable Mayor, Mr Chairman, Members of Council, Ladies and Gentlemen  
Good Evening My name is Bruce Pearce I am the chair of the Land Use Council but tonight I am here as a member of a Markham Farm Family

Let me begin by stating a strong personal belief, which is that "the best government is the closest government to its constituents". In our over-regulated democracy, this not only awards a sincere compliment to municipal councils but also attaches to them a grave responsibility as well.

That said, like many folks in this community, I'm surprised and shocked to learn that some members of Markham council feel promoting statutory restrictive re-designation of private agricultural property is leadership. The perception of shallow political posturing this initiative gives in an election year is hard to dispel. That its success will hugely benefit urban proponents while disenfranchising rural landowners and, in the process, further erode the business of agriculture, including its support infrastructure, is a fact of precedent, not an example of idle speculation.

In the recent past the exposed unfounded junk science of Copenhagen had everyone from Chicken Little to the CocaCola polar bears concerned that the alleged higher learned intellectuals who always know better than ordinary mortals let *emotion prevail causing reason to fail* in fraudulent pursuit of more recognition, more power and more public money.  
<http://www.foxnews.com/scitech/2010/02/15/global-warming-insignificant-years-admits-uks-climate-scientist/?test=latestnews>

Where are the peer-reviewed studies that recommend re-designating 4500 hundred acres of private property? Where are your studies, to support the need to steal farmers land or your right to their land? but better still who wrote these studies and who critiqued them? Would they stand a best management agricultural peer review? Who cherry picked subject matter to be submitted as saline fact for a balanced report? Who decided other studies and comments were not relevant begging the question "Are decisions made of *political wishes* given more weight and outcome, than common sense, justice and fact?" Or shall we thank Robert Hunter for his work referred to as "gonzo journalism," which apparently means "anything goes." Roughly translated to mean: This stuff is true except when it isn't.

Harry Cummings report of Uof G (Accompanying document) )  
[http://www.uoguelph.ca/news/2009/12/ww\\_3.html](http://www.uoguelph.ca/news/2009/12/ww_3.html) shows an accelerated decline in agriculture within the Greenbelt. Inadequate and inconsistent government intervention to preserve Greenbelt agriculture is failing. With agriculture in free fall the best kind of responsible land stewardship this province will ever see is demeaned and discarded. one clumsy government regulation at a time. Ladies and gentlemen, I suggest to you agriculture's voluntary lead in such things, as phosphate reduction is a shining example of private land stewardship. Meanwhile, urban bypasses, over-flowing garbage dumps and toxic spills continue unabated or on the increase. (Accompanying document) <http://www.betterfarming.com/content/sewage-report-2009>  
[http://www.betterfarming.com/files/SewageCharts2009\\_02lo-1.pdf](http://www.betterfarming.com/files/SewageCharts2009_02lo-1.pdf)

Dr Vynn's thesis (Uof G) (Accompanying document) (on CD PAG 10,110 111) shows an extreme loss in land value for Greenbelt impacted land as a result of a failure to meet project objectives to be economically neutral and science based.

Does your council study include these or similar criteria? In a tax based revenue society, does devalued or idled land like Rouge Valley or Robert Hunter contribute to a sustainable tax base? Is following the Provincial lead of a now documented failure of Greenbelt agriculture, a direction Markham should blindly follow without question?

Council is expected to be the informed representation of the electorate, **for** the electorate. Laws and societal protocols are based on societies electorate needs tempered by some degree of fairness. One of those early childhood schoolyard premises is to *do unto others as you would have them do unto you*.

If future Markham development **requires** private land, it's quite proper for council to buy it at fair market value arrived at through established appraisal procedures. Re-designating private property without compensation, ignoring common law rights **or altering value at the expense of one, for the benefit of two, is quite another matter**. In my opinion, that's a process best described as extortion by statute.

The criminal code speaks to changing a law for the benefit of 2 to the detriment of one in a 3 person society. This seems to be the case here. —

sec. 380 (criminal code2)

**Affecting public market**

States.... Every one who, by deceit, falsehood or other fraudulent means, whether or not it is a false pretence within the meaning of this Act, with intent to defraud, affects the public market price of stocks, shares, merchandise **or anything that is offered** for sale to the public is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years

I have another concern, that being the age of the people who own the land council envies. Most are seniors, and society has described in words of one syllable in black and white, the definition of elder abuse.

Elder abuse, of older adults, is defined as any act or omission that harms a senior or jeopardizes his or her health or welfare. The World Health Organization defines abuse of older adults as “a single or repeated act, or lack of appropriate action, occurring in any relationship where there is an expectation of trust that causes harm or distress to an older person”. I would caution you that a council in breach of trust by arbitrarily re-designation of private land it doesn't own and is apparently reluctant to buy is treading very close to this line, if not legally, in public opinion unless council would prefer to declare its self as untrustworthy to the people it serves.

(Accompanying document) <http://www.onpea.org/english/elderabuse/index.html>

<http://www.onpea.org/english/elderabuse/formsofelderabuse.html>

I would submit that the respects of these elder pillars of society that have contributed to the very fiber of rural Ont. and soul of what Markham township is today through their agricultural endeavors, deserve the respect of the law and of this council. For those of you leading on council, in your determination of right and wrong, consider these people to be your grandparents, parents or family members and ask “*would I feel the action I take today to be appropriate if exercised on my family tomorrow*”? Compare your actions toward them to the things in your life that you want to be able to trust, to remain dependable, and without interference, like your wage, pensions, your home and your employ on council.

A gentler respectful council will garner far more trust, votes and support knowing you treated your family, friends and neighbors, as you would want to be treated. Keep Markham an example

of trustworthy leadership NOT a council driven by “gonzo politics” or bullying agendas of questionable fact for personal gain. <http://www.robertfulford.com/RobertHunter.html>

Thank you for the opportunity to present to you and I encourage you to lead in a responsible new direction.

#### Obtaining execution of valuable security by fraud—s. 363

363. Every one who, with intent to defraud or injure another person, by a false pretense causes or induces any person

- (a) to execute, make, accept, endorse or destroy the whole or any part of a valuable security, or
  - (b) to write, impress or affix a name or seal on any paper or parchment in order that it may afterwards be made or converted into or used or dealt with as a valuable security,
- is guilty of an indictable offence and liable to imprisonment for a term not exceeding five years.  
R.S., c. C-34, s. 321.

#### Criminal Code Section 337

##### **Public servant refusing to deliver property**

337. Every one who, being or having been employed in the service of Her Majesty in right of Canada or a province, or in the service of a municipality, and entrusted by virtue of that employment with the receipt, custody, management or control of anything, refuses or fails to deliver it to a person who is authorized to demand it and does demand it is guilty of an indictable offence and liable to imprisonment for a term not exceeding fourteen years.

#### Destroying documents of title -- s. 340

340. Every one who, for a fraudulent purpose, destroys, cancels, conceals or obliterates
- (a) a document of title to goods or lands,
  - (b) a valuable security or testamentary instrument, or
  - (c) a judicial or official document, is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years.
- R.S., c. C-34, s. 300.

#### Fraudulent concealment -- s. 341

341. Every one who, for a fraudulent purpose, takes, obtains, removes or conceals anything is guilty of an indictable offence and liable to imprisonment for a term not exceeding two years.

R.S., c. C-34, s. 301.

Extortion -- s. 346(1)

346.

(1) Every one commits extortion who, without reasonable justification or excuse and with intent to obtain anything, by threats, accusations, menaces or violence induces or attempts to induce any person, whether or not he is the person threatened, accused or menaced or to whom violence is shown, to do anything or cause anything to be done.

Extortion -- s. 346(1.1)

(1.1) Every person who commits extortion is guilty of an indictable offence and liable to imprisonment for life and to a minimum punishment of imprisonment for a term of four years; and

(b) in any other case, to imprisonment for life.

(1) A false pretense is a representation of a matter of fact either present or past, made by words or otherwise, that is known by the person who makes it to be false and that is made with a fraudulent intent to induce the person to whom it is made to act on it

FRAUD—SS. 380 TO 396

Fraud—s. 380(1)

380

(1) Every one who, by deceit, falsehood or other fraudulent means, whether or not it is a false pretence within the meaning of this Act, defrauds the public or any person, whether ascertained or not, of any property, money or valuable security or any service,

(a) is guilty of an indictable offence and liable to a term of imprisonment not exceeding ten years, where the subject-matter of the offence is a testamentary instrument or the value of the subject-matter of the offence exceeds five thousand dollars; or

(b) is guilty

(i) of an indictable offence and is liable to imprisonment for a term not exceeding two years, or

(ii) of an offence punishable on summary conviction, where the value of the subject-matter of the offence does not exceed five thousand dollars.

Affecting public market—s. 380(2)

(2) Every one who, by deceit, falsehood or other fraudulent means, whether or not it is a false pretence within the meaning of this Act, with intent to defraud, affects the public market price of stocks, shares, merchandise or anything that is offered for sale to the public is guilty of an indictable offence and liable to imprisonment for a term not exceeding ten years.

R.S., 1985, c. C-46, s. 380; R.S., 1985, c. 27 (1st Supp.), s. 54; 1994, c.