

# THE INTERVIEW



## HILARY PAYNE

### CO-FOUNDER BOARDED UP HOUSES DEMOLITION ACTION GROUP

Former Windsor CAO, Hilary Payne is on the offensive with the group he co-founded, The Boarded Up Houses Demolition Action Group (BUHDAG) in a fight with city hall to tear down the more than 100 abandoned homes west of the Ambassador Bridge.

BUHDAG has launched legal actions against the city and is looking to quash all of the city bylaws and demolition control bylaws in their quest to have the homes torn down.

He pointed out if council has chosen this path to block a possible second span through the numerous bylaws, that they are holding the citizens and property owners in this neighbourhood hostage.

Payne doesn't hold back his opinion in this heated battle between the Ambassador Bridge Company and City officials.

*“I can never recall a case where council has simply refused to hear the petitions and not allow us the opportunity to speak in a peaceful manner in accordance with the five minute rule.”*

*BUHDAG co-founder, Hilary Payne discussed his frustration with Windsor City Council .*

**IB:** How many properties do you own in Windsor's west-end that are directly impacted by the power struggle between the Ambassador Bridge company and the City of Windsor?

**Payne:** I own five properties all together. Really, only one is primarily impacted at 375 Indian Road, which is right across the street from some of the boarded up homes along that stretch. I also have properties on Josephine Street, Rosedale Avenue which is somewhat impacted, and on Donnelly Street and Mill

Street. They are all kind of in the general zone, as the whole area is affected by the boarded up homes.

**IB:** When did you decide to co-found the Boarded Up Houses Demolition Action Group?

**Payne:** It all got started when a Canada Post employee came to my door in March 2009, with a registered letter. This letter stated that the City of Windsor was going to have a Heritage Conservation District in

Olde Sandwich Towne. I decided along with Dan Bebbington (co-founder of BUHDAG) to get together and walk all over the impacted area with a petition opposing the Heritage Conservation Designation. This petition was not for City Council, but to the Ontario Municipal Board, which we delivered to City Hall on April 1, 2009. After we were able to gather signatures for the petition and submit it, we looked at the boarded up homes and decided we wanted to do something. Unfortunately, it is the kind of thing where many people have seen these homes for such a long time and after a while you kind of get use to them. Bebbington and I both agreed that the state of the



homes is completely wrong. The more we looked into the whole issue of why the boarded up homes are still standing, it is not because the bridge company wanted them there, but because the City Council would not and still does not allow the bridge company to demolish the buildings.

**IB:** Could you explain BUHDAG's opposition to the Heritage designation?

**Payne:** The proposed Heritage District covers the boarded up houses on Indian Road, which is absolutely idiotic, since there is no way that these homes can be rehabilitated. They were never heritage homes to begin with, no matter what the heritage people claim, they simply were not. There are two ways to designate heritage, one is by designating individual buildings. This is already the case, with some buildings in Olde Sandwich Towne receiving this designation. The other way is to complete it through an area basis, which is what they are proposing now. In this case, it would cover much of Sandwich Towne beginning from the Detroit River all the way up to Donnelly Street. This plan also would cover a whole area including Indian Road and Rosedale Avenue, where it is certainly not a heritage area. Under this designation you cannot do anything with your house. In essence you lose a large chunk of your property rights, as you cannot add any additions and you are not allowed to change anything

100 years  
Vorsprung durch Technik



Captivating.



MSRP \$43,500

**Introducing the Audi Q5.** With a sleek windswept design, a beautiful full-length Panorama Sunroof, and a sumptuous interior, the Audi Q5 strikes you as different, even at first sight. It's quattro® permanent all-wheel drive, Audi Drive Select, and remarkably efficient 270-hp FSI V6 engine, confirm what you suspect—that this is nothing like your typical SUV. Don't buy another box. Contact your local Audi dealer and test drive the Audi Q5 today. [www.audi.ca](http://www.audi.ca)

© 2009 Audi Canada. European model 2009 Audi Q5 quattro shown with optional equipment. "Audi", "Audi Drive Select", "FSI", "Vorsprung durch Technik", and the four rings emblem are registered trademarks of AUDI AG. To find out more about Audi, visit your dealer or call 1-800-FOR-AUDI.

**Richmond Motors (Chatham) Ltd. 1-866-870-8890**  
90 Keil Drive North, Chatham, Ontario [www.richmondmotors.com](http://www.richmondmotors.com)



with the house. If anything needs to be fixed, you must repair the house, exactly to its original state. To me, that is a complete loss of property rights. If you own a heritage home and want to designate it, that is fine, but a heritage area should not be imposed. The Ontario Municipal Board will address this issue during upcoming mediation.

**IB:** *In your opinion, why has City Council chosen not to listen to your delegations?*

**Payne:** Our organization's belief and most people seem to agree, is that the actions of City Council is just setting up a means by which they can prevent the construction of the second span of the Ambassador Bridge. If the council has chosen this path, that should be strictly a matter between them and the bridge company. Actually what the City Council is doing is holding the citizens and property owners hostage. They are holding them as pawns in this contest to see if they can stop the construction of the second span. After our delegations were turned down again at the December Council meeting, council did say they would look at the matter again after the OMB mediation hearing. We decided, after this meet-

ing, that our organization needed to take further action, so we are launching a lawsuit against the city to quash all of the nine bylaws the city has put into place to stop the demolition of these properties. That lawsuit will be going through this year, and presently I don't have a timetable on when it will come to fruition.

**IB:** *How frustrating is the whole process for your organization?*

**Payne:** It is extremely frustrating that we haven't been allowed to speak during previous City Council meetings. Really, if council would have at least heard us and given a definitive answer, but we haven't been able to get to that point. The reason we can't get any statement out of council is because they know that what they are doing is wrong. It is inappropriate and has no basis in legislation. They are suppose to act within the law, not outside the law. City Council is using these bylaws for conservation, for demolition control, for community improvement, as a barrier to stop the houses being demolished. It is an absolutely bizarre situation. In my 25 years working for the City of Windsor, I have seen countless delegations come into council and petitions where some of them are accepted and others are not. I can never recall a case where council has simply refused to hear the peti-

**THE GOURMET EMPORIUM**  
resto-lounge

*"Experience Taste"*  
at Walkerville's ultimate  
resto-lounge

No matter the event, make it a night  
at the Gourmet Emporium

Birthdays, holiday parties,  
professional meetings, private parties.

Ask about the incentive program for groups of 25 or more.

1799 Wyandotte St. E (at Chilver) • Phone 519-915-0813 • [www.gourmetemporium.ca](http://www.gourmetemporium.ca)



tions and not allow us the opportunity to speak in a peaceful manner in accordance with the five minute rule. To me, it is just absolutely appalling and a complete travesty of municipal administration.

**IB:** How much criticism have you received, since you don't live in the area affected and have chosen to be in the forefront on this issue?

**Payne:** I can honestly say that I have not received any. I have only received appreciation and congratulations from a lot of people. We have a core group of about 20 people that are directly affected. The only criticism that I have received is from some people that have said that we are affiliated with the bridge company. I want to make it directly clear that we are not in any way aligned with the bridge company. Some people have insinuated that we are a stalking horse. These accusations are completely untrue, as our only aim is to get the boarded up homes demolished.

**IB:** How did the rumour get started that you were aligned with the Ambassador Bridge?

**Payne:** That all started with Mayor Eddie Francis. He made a statement to the effect that 'it looks like Hilary Payne is working for the Ambassador Bridge Company.' Some people may think that, but I am working with Dan Bebbington for the residents and property owners in that area.

**IB:** With the University of Windsor located so close to the Ambassador Bridge, have they been a source of support for BUHDAG's efforts?

**Payne:** I met with the University of Windsor's president Dr. Alan Wildeman in June 2009. In the end, the University would give us no support whatsoever, which we found extremely strange, considering their location so close to the boarded up homes. Also, a whole lot of students are affected as well. There are female students that are afraid to walk down those streets at night. In the end, Dr. Wildeman declined to put anything in writing, he just took an attitude of complete non-involvement.

**IB:** Are you satisfied with BUHDAG's efforts to date?

**Payne:** We are upbeat even though we haven't got one boarded up house demolished. But we have sensitized the public — so that counts for something.

IN



## Navigate the Human Resources Minefield

Recent legislative changes have created the perfect storm in the Human Resources arena for businesses. Properly conducting a workplace investigation can be a challenge for businesses both small and large. Businesses who take remedial or disciplinary action without solid Human Resources policies and procedures in place are taking unnecessary risks. Lorne M. Curtis Management Consulting can provide the necessary expertise and knowledge you need to navigate the Human Resources minefield.

519-978-9111



Lorne M. Curtis

Human Resources and Labour Relations ■ Management Consulting

## Manufacturers of Fresh Baked CORN and FLOUR TORTILLAS

La Michoacana Tortilla Factory



Michigan's best for over 60 years

Wholesale & Retail

3361 Bagley Ave.,  
Detroit MI 48216  
(313) 842-8883

## Mexican Village Restaurants (ample free parking)

OPEN Sun. - Thur. 11a.m.-11p.m.  
Fri. & Sat. 11a.m.-1a.m.

(313) 237-0333

2600 Bagley at 18th  
DETROIT, MICHIGAN

(586) 254-2290

47350 Van Dyke N. of 21 Mile  
UTICA, MICHIGAN

Banquet and Meeting Rooms Available

www.mexicanvillagefood.com