

Crown & Glacier Resorts Argument

- ① Adequate Good Faith Accommodation by Glacier Resorts - Kituxaxa never indicated that the development was irreconcilable with religious practices/beliefs
- ↳ a belief of recent origins NOT withheld because of religious secrecy (finding of trial judge)
 - ↳ if such a core aspect of spiritual belief, must raise much sooner - overnight accommodations & permanent structures part of original development proposal in 1991

② Crown argued s. 2(a) has two internal limits that disqualify the claim

- ① s. 2(a) does not protect religious rights that involve coercion of others
- ② s. 2(a) does not protect sacred sites (esp. when no legal right to title over site)
- ? ③ s. 2(a) does not protect subjective meaning of infinite value when set against / balanced against objectively quantifiable opposing interests

WHAT spirituality is objective and holds finite value?

③ In terms of accommodation of s. 35 rights, they cannot be framed in absolute terms, making accommodation impossible

↳ "deep consultation" "lasting decades"

↳ Haida duty to consult $\left\{ \begin{array}{l} \text{not duty to agree} \\ \text{not an outcome but process that is guaranteed} \\ \dots \text{ i.e., not a land veto} \end{array} \right.$