

CANADA / JUDGMENT

Kianizadeh v. Canada

(Citizenship and Immigration)

2025 FC 464

COURT

Federal Court

DECIDED

12 March 2025

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Kianizadeh v. Canada (Citizenship and Immigration) Court (s) Database Federal Court Decisions
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20250312 Docket: IMM-4836-24 Citation: 2025 FC 464 Toronto, Ontario, March 12, 2025 PRESENT:
The Honourable Mr. Justice Ahmed BETWEEN: FATEMAH KIANIZADEH Applicant and THE
MINISTER OF CITIZENSHIP AND IMMIGRATION Respondent JUDGMENT AND REASONS
(Delivered orally from the bench on March 12, 2025, and subject to stylistic, editorial, and syntax
edits, as well as reference to jurisprudence and legal citations)

- [1] The Applicant seeks judicial review of a decision of a visa officer refusing her application for a study permit pursuant to paragraph 216(1)(b) of the Immigration and Refugee Protection Regulations, SOR/2002-227 (“Regulations”).
- [2] The Applicant is a citizen of Iran. She and her mother, father, and brother all reside in Iran. The Applicant holds a bachelor’s degree in Scientific and Applied Architecture and an associate degree in Architectural Drawing. For three years, she worked as an Architectural Designer. In December 2023, the Applicant applied for a study permit to pursue a college diploma in the Architectural Technician program at George Brown College.
- [3] On January 31, 2024, the Applicant’s study permit application was refused. The officer determined the Applicant did not have significant family ties outside Canada and the purpose of her visit was not consistent with a temporary stay. In the Global Case Management System (“GCMS”) notes, the officer also determined that the Applicant’s financial resources would be insufficient for her proposed studies. Consequently, the officer was not satisfied the Applicant would depart Canada at the end of her authorized stay.
- [4] The sole issue in this application is whether the officer’s decision is reasonable. The Applicant submits that it is not, as the officer erred in their assessment of her family ties, financial resources, and the reasons for her proposed studies. Although I agree with the Applicant that the officer’s treatment of her family ties and financial resources is flawed, I do not find this justifies disturbing the refusal decision as a whole.

- [5] Turning to family ties, I find the officer's assessment of this issue is unintelligible in light of the record. The Applicant reported three family members in her Family Information Form: her mother, her father, and her brother. All three individuals reside in Iran. The officer's determination that the Applicant does "not have significant family ties outside Canada" is therefore at odds with the evidence.
- [6] I similarly find the officer erred with respect to the Applicant's financial resources. The Applicant rightly notes that she would have access to more than double the required resources for her proposed studies.
- [7] However, this error does not warrant disturbing the refusal decision (*Canada (Minister of Citizenship and Immigration) v Vavilov*, 2019 SCC 65 at paras 97, 100). In my view, the officer's decision turned on their assessment of the Applicant's proposed studies. Unlike in *Shahrezaei v Canada (Citizenship and Immigration)*, 2023 FC 499, "[the Applicant's] degree and proposed diploma" do not concern "related but separate disciplines" (at para 15). The officer reasonably determined that an Architecture Technician diploma would be redundant, given the Applicant's degrees in Scientific and Applied Architecture and Architectural Drawing.
- [8] The Applicant does not adequately address this issue. In her study plan, the Applicant simply states "the practical approach of the program aligns with [her] career trajectory and will help [her] enhance [her] expertise in various essential domains." She further states that she seeks to improve her English language skills and gain a competitive advantage in the Iranian labour market. I agree with the Respondent that these explanations are insufficient and vague.
- [9] This is therefore not a case where there is no basis for the officer's findings or the applicant's submissions were ignored (*Askari v Canada (Citizenship and Immigration)*, 2023 FC 1318 at para 32; *Kajbaf v Canada (Citizenship and Immigration)*, 2023 FC 1552 at para 10; *Shirazi v Canada (Citizenship and Immigration)*, 2024 FC 822 at paras 22-23; *Goshtasbi v Canada (Citizenship and Immigration)*, 2024 FC 1110 at para 16). The officer's findings are justified in light of the record. Despite the officer's errors with respect to family ties and financial resources, I find the officer's findings concerning the purpose of the Applicant's visit are sufficient to dismiss this application for judicial review.
- [10] This application for judicial review is dismissed. No question is certified. JUDGMENT in IMM-4836-24 THIS COURT'S JUDGMENT is that: This application for judicial review is dismissed. There is no question to certify. "Shirzad A." Judge FEDERAL COURT SOLICITORS OF RECORD DOCKET: IMM-4836-24 STYLE OF CAUSE: FATEMAH KIANIZADEH v THE MINISTER OF CITIZENSHIP AND IMMIGRATION PLACE OF HEARING: Toronto, Ontario DATE OF HEARING: MARCH 12, 2025 JUDGMENT and reasons: AHMED J. DATED: March 12, 2025 APPEARANCES: Bahman Azimi For The Applicant Saudia Samad For The Respondent SOLICITORS OF RECORD: Azimi Law Barrister and Solicitor Toronto, Ontario For The Applicant Attorney General of Canada Toronto, Ontario For The Respondent

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