

Federal Court



Cour fédérale

**Date: 20250929**

**Docket: IMM-12877-24**

**Citation: 2025 FC 1598**

**Toronto, Ontario, September 29, 2025**

**PRESENT: Madam Justice Azmudeh**

**BETWEEN:**

**MAHYAR GHAJARZADEH**

**Applicant**

**and**

**MINISTER OF IMMIGRATION  
AND CITIZENSHIP**

**Respondent**

**JUDGMENT AND REASONS**

**I. Overview**

[1] The Applicant, Mahyar Ghajarzadeh, is seeking a Judicial Review under section 72(1) of the *Immigration and Refugee Protection Act* SC 2001, c 27 [IRPA] concerning the rejection of their Study Permit application for Canada. The Judicial Review is granted for the following reasons.

[2] The Applicant is a 38-year-old Iranian citizen who applied for a study permit to obtain a Project Management Graduate Certificate (PMGC) at Cambrian College.

[3] The Applicant holds a Bachelor of Civil Engineering and a Masters degree in Enterprise Entrepreneurship from two different Iranian universities.

[4] The Applicant had provided a study plan and corroborating documents from his employer in Iran that he would get a promotion with a significant increase in his salary if he completed the stated PMGC.

[5] In rejecting his study permit application, the Visa Officer (“Officer”) reviewing his file noted the following in the Global Case Management System (GCMS) notes, which constitute the reasons:

I have reviewed the application for re-determination. After re-opening the application, PA was given 30 days to provide updated documentation. PA provided updated information. Study plan reviewed and considered. The applicant does not demonstrate to my satisfaction reasons for which such an educational program would be of benefit. In light of the PA’s previous study and current career, their motivation to pursue studies in Canada at this point does not seem reasonable. Applicant provided letter of support from their employer. Although the letter states a promotion it does not articulate in detail the necessity of the international education. Weighing the factors in this application. I am not satisfied that the applicant will depart Canada at the end of the period authorized for their stay. For the reasons above, I have refused this application.

## II. Issues and Standard of Review

[6] The only issue before me is whether the decision is reasonable.

[7] Reasonableness review is a deferential and disciplined evaluation of whether an administrative decision is transparent, intelligible and justified: *Canada (Minister of Citizenship*

*and Immigration*) v *Vavilov*, 2019 SCC 65, at paras 12-13 and 15 [*Vavilov*]; *Mason v Canada (Citizenship and Immigration)*, 2023 SCC 21, at paras 8, 63 [*Mason*].

[8] I have started by reading the reasons of the decision-maker in conjunction with the record that was before them holistically and contextually. As guided by *Vavilov*, at paras 83, 84 and 87, as the reviewing judge, I have focused on the decision-maker's reasoning process. I have not considered whether the decision-maker's decision was correct, or what I would do if I were deciding the matter myself: *Vavilov*, at para 83; *Canada (Justice) v D.V.*, 2022 FCA 181, at paras 15, 23.

[9] A reasonable decision is based on an internally coherent and rational chain of analysis and is justified in relation to the facts and law that constrained the decision-maker: *Vavilov*, esp. at paras 85, 91-97, 103, 105-106 and 194; *Canada Post Corp v Canadian Union of Postal Workers*, 2019 SCC 67, [2019] 4 SCR 900, at paras 2, 28-33, 61; *Mason*, at paras 8, 59-61, 66. For a decision to be unreasonable, the applicant must establish that the decision contains flaws that are sufficiently central or significant (*Vavilov* at para 100). Not all errors or concerns about a decision will warrant intervention.

### III. Legislative Overview

[10] The following sections of IRPA are relevant:

#### **Application for judicial review**

72 (1) Judicial review by the Federal Court with respect to any matter — a decision, determination or order made, a measure taken or a question raised — under this Act is,

#### **Demande d'autorisation**

72 (1) Le contrôle judiciaire par la Cour fédérale de toute mesure — décision, ordonnance, question ou affaire — prise dans le cadre de la présente loi est, sous réserve de

subject to section 86.1, commenced by making an application for leave to the Court.

#### Application

(2) The following provisions govern an application under subsection (1):

(a) the application may not be made until any right of appeal that may be provided by this Act is exhausted;

(b) subject to paragraph 169(f), notice of the application shall be served on the other party and the application shall be filed in the Registry of the Federal Court (“the Court”) within 15 days, in the case of a matter arising in Canada, or within 60 days, in the case of a matter arising outside Canada, after the day on which the applicant is notified of or otherwise becomes aware of the matter;

(c) a judge of the Court may, for special reasons, allow an extended time for filing and serving the application or notice;

(d) a judge of the Court shall dispose of the application without delay and in a summary way and, unless a judge of the Court directs otherwise, without personal appearance; and

(e) no appeal lies from the decision of the Court with respect to the application or with respect to an interlocutory judgment.

l’article 86.1, subordonné au dépôt d’une demande d’autorisation.

#### Application

(2) Les dispositions suivantes s’appliquent à la demande d’autorisation :

a) elle ne peut être présentée tant que les voies d’appel ne sont pas épuisées;

b) elle doit être signifiée à l’autre partie puis déposée au greffe de la Cour fédérale — la Cour — dans les quinze ou soixante jours, selon que la mesure attaquée a été rendue au Canada ou non, suivant, sous réserve de l’alinéa 169f), la date où le demandeur en est avisé ou en a eu connaissance;

c) le délai peut toutefois être prorogé, pour motifs valables, par un juge de la Cour;

d) il est statué sur la demande à bref délai et selon la procédure sommaire et, sauf autorisation d’un juge de la Cour, sans comparution en personne;

e) le jugement sur la demande et toute décision interlocutoire ne sont pas susceptibles d’appel.

[11] The following sections of the *Immigration and Refugee Protection Regulations*,

SOR/2002-227 [IRPR] are also relevant:

#### Study permits

216 (1) Subject to subsections (2) and (3), an officer shall issue a study permit to a foreign

#### Permis d’études

216 (1) Sous réserve des paragraphes (2) et (3), l’agent délivre un permis d’études à

national if, following an examination, it is established that the foreign national

- (a) applied for it in accordance with this Part;
- (b) will leave Canada by the end of the period authorized for their stay under Division 2 of Part 9;
- (c) meets the requirements of this Part;
- (d) meets the requirements of subsections 30(2) and (3), if they must submit to a medical examination under paragraph 16(2)(b) of the Act; and
- (e) has been accepted to undertake a program of study at a designated learning institution.

[...]

#### Acceptance letter

219 (1) A study permit shall not be issued to a foreign national unless they have written documentation from the designated learning institution where they intend to study that states that they have been accepted to study there.

[...]

#### Financial resources

220 An officer shall not issue a study permit to a foreign national, other than one described in paragraph 215(1)(d) or (e), unless they have sufficient and available financial resources, without working in Canada, to

- (a) pay the tuition fees for the course or program of studies that they intend to pursue;

l'étranger si, à l'issue d'un contrôle, les éléments suivants sont établis :

- a) l'étranger a demandé un permis d'études conformément à la présente partie;
- b) il quittera le Canada à la fin de la période de séjour qui lui est applicable au titre de la section 2 de la partie 9;
- c) il remplit les exigences prévues à la présente partie;
- d) s'il est tenu de se soumettre à une visite médicale en application du paragraphe 16(2) de la Loi, il satisfait aux exigences prévues aux paragraphes 30(2) et (3);
- e) il a été admis à un programme d'études par un établissement d'enseignement désigné.

[...]

#### Acceptation par l'établissement

219 (1) Le permis d'études ne peut être délivré à l'étranger que si celui-ci produit une attestation écrite de son acceptation émanant de l'établissement d'enseignement désigné où il a l'intention d'étudier.

[...]

#### Ressources financières

220 À l'exception des personnes visées aux sous-alinéas 215(1)d) ou e), l'agent ne délivre pas de permis d'études à l'étranger à moins que celui-ci ne dispose, sans qu'il lui soit nécessaire d'exercer un emploi au Canada, de ressources financières suffisantes pour :

- a) acquitter les frais de scolarité des cours qu'il a l'intention de suivre;

(b) maintain themselves and any family members who are accompanying them during their proposed period of study; and

(c) pay the costs of transporting themselves and the family members referred to in paragraph (b) to and from Canada.

b) subvenir à ses propres besoins et à ceux des membres de sa famille qui l'accompagnent durant ses études;

c) acquitter les frais de transport pour lui-même et les membres de sa famille visés à l'alinéa b) pour venir au Canada et en repartir.

#### Conditions — study permit holder

220.1 (1) The holder of a study permit in Canada is subject to the following conditions:

(a) they shall enroll at a designated learning institution and remain enrolled at a designated learning institution until they complete their studies; and

(b) they shall actively pursue their course or program of study.

#### Conditions — titulaire du permis d'études

220.1 (1) Le titulaire d'un permis d'études au Canada est assujéti aux conditions suivantes :

a) il est inscrit dans un établissement d'enseignement désigné et demeure inscrit dans un tel établissement jusqu'à ce qu'il termine ses études;

b) il suit activement un cours ou son programme d'études.

## IV. Analysis

### A. *Was the Officer's decision reasonable?*

[12] On a study permit application, the Applicant must establish that they meet the requirements of the IRPA and the IRPR. Visa officers have a wide discretion in their assessment of the application and the Court ought to provide considerable deference to an Officer's decision given the level of expertise they bring to these matters. The onus is on the Applicant who seeks temporary entry to Canada to establish and satisfy a visa officer that they will leave Canada at the end of the authorized period of stay requested.

[13] In addition, in assessing the reasonableness of the decision, the Court recognizes that the high volume of visa decisions and the narrow consequences of a refusal are such that extensive

reasons are not required: *Vavilov* at paras 88, 91; *Lingepo v Canada (Citizenship and Immigration)*, 2021 FC 552 at para 13; *Yuzer v Canada (Citizenship and Immigration)*, 2019 FC 781 at paras 9, 16 [*Yuzer*]; *Wang v Canada (Minister of Citizenship and Immigration)*, 2006 FC 1298 at paras 19–20. Nonetheless, the reasons given by the Officer must, when read in the context of the record, adequately explain and justify why the application was refused: *Yuzer* at paras 9, 20; *Hashemi v Canada (Citizenship and Immigration)*, 2022 FC 1562 at para 35 [*Hashemi*]; *Vavilov* at paras 86, 93–98.

#### V. Study Plan

[14] The Applicant’s study plan was the determinative issue for the Officer. The Officer noted that given the Applicant’s previous study and current career, he had not established that he would benefit from his Canadian education. This is while the Applicant’s study plan had clearly noted that he had a job offer from his current employer which was contingent on obtaining the certificate offered by the program of study. He states:

Most importantly, I am thrilled to have received a job offer as a Project Manager from Mehr Parsian Exir Company. This opportunity is contingent upon my successful completion of the project management program in Canada. Assuming this role will allow me to embark on the next project and allow me to oversee multiple endeavors, including large-scale developments. As a Project Manager, I will be responsible for personnel recruitment, material analysis, financial management, and various other tasks. I am deeply honored to have secured this job offer, and I am eagerly looking forward to fulfilling our mutual commitments outlined in the pre-contract agreement. With the added benefits of a substantial salary increase of 70% to 80% and the opportunity to make strategic decisions, I am enthusiastically prepared to contribute my skills and expertise to the success of future projects.

[15] It is difficult to understand the conclusion that a professional promotion accompanied by a significant salary increase conferred no benefit. Reaching such a conclusion without engaging

with evidence to the contrary disregards both the factual record and basic logic. At a minimum, the evidence required meaningful consideration to explain how a professional promotion resulting in significantly higher wages would be viewed of no benefit.

[16] While officers are afforded a broad discretion, that discretion must be exercised on the basis of the evidence before them and objective reasoning. It cannot rest on subjective beliefs or personal biases. The use of the phrase “to my satisfaction”, under the circumstances, risks transforming the evidentiary standard into a moving target, one defined solely by the personal views of the Officer not supported by the evidence or objective criteria. Disregarding the evidence in favour of personal beliefs would render decision-making unpredictable and would undermine both fairness and transparency in decision-making. By not engaging with the contrary evidence in any way, the Officer made an arbitrary decision (*Seyedsalehi v Canada (Citizenship and Immigration)*, 2022 FC 1250).

[17] The Officer referenced the employer’s letter and found that even though it had mentioned promotion, it did not articulate in detail the necessity of international education. I do not find that referencing the letter, ignoring a material fact stated in it, namely the significant salary increase contingent on the completion of the program, would amount to engagement with the evidence. Given the totality of the evidence before the Officer, more was required to justify how the Officer weighed the evidence to conclude that the Applicant’s proposed studies were not reasonable. I find this to be analogous to what the Court found in *Ahadi v. Canada (Citizenship and Immigration)*, 2023 FC 25 at para 15 and 16.

[18] In summary, if the study plan and the employer’s letter offered no explanation of a benefit to the Applicant to obtain a Canadian education, one would expect to see a chain of



reasoning to explain, even if briefly, how the evidence to the contrary was treated. The lack of analysis makes the decision arbitrary, devoid of a rational chain of reasoning.

VI. Conclusion

[19] The Officer's decision is unreasonable, as it does not exhibit the requisite degree of justification, intelligibility, and transparency. The application for judicial review is granted and the decision set aside.

[20] Neither party proposed a question for certification and I agree that none arises in this matter.

**JUDGMENT IN IMM-12877-24**

**THIS COURT'S JUDGMENT is that**

1. The Judicial Review is granted. The matter is remitted for redetermination by a different Officer.

"Negar Azmudeh"  
\_\_\_\_\_  
Judge

**FEDERAL COURT**  
**SOLICITORS OF RECORD**

**DOCKET:** IMM-12877-24

**STYLE OF CAUSE:** MAHYAR GHAJARZADEH v MCI

**PLACE OF HEARING:** VIDEOCONFERENCE

**DATE OF HEARING:** SEPTEMBER 22, 2025

**REASONS FOR JUDGMENT  
AND JUDGMENT:** AZMUDEH J.

**DATED:** SEPTEMBER 29, 2025

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